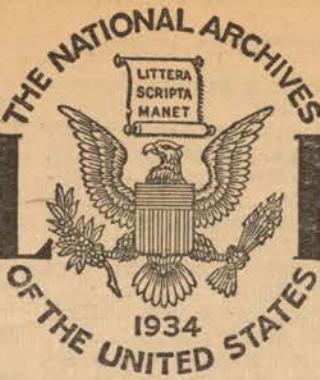


FEDERAL REGISTER



VOLUME 9

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Washington, Tuesday, March 7, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-42, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FALL RIVER-NEW BEDFORD-TAUNTON, MASS., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-42 (8 F.R. 13966), relative to the conservation and distribution of fluid milk in the Fall River-New Bedford-Taunton, Massachusetts, milk sales area, issued by the Director of Food Distribution on October 11, 1943, is hereby amended as follows:

1. By deleting therefrom the provisions in § 1401.73 (g) and inserting, in lieu thereof, the following:

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

2. By deleting therefrom the numeral "100" in § 1401.73 (h) wherever it appears, and inserting, in lieu thereof, the numeral "300."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-42, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-42 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3061; Filed, March 2, 1944;
12:44 p. m.]

[FDO 79-78, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EVANSVILLE, IND., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-78 (8 F.R. 14599), relative to the conservation and distribution of fluid milk in the Evansville, Indiana, milk sales area, issued by the Director of Food Distribution on October 26, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.117 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-78, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-78, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O.

(Continued on next page)

Mr. Reid

CONTENTS

REGULATIONS AND NOTICES

CIVIL AERONAUTICS BOARD:	Page
Northeast Airlines, Inc., et al., hearing	2571
COAST GUARD:	
U. S. Coast Guard Reserve; aviator designations	2569
FEDERAL COMMUNICATIONS COMMISSION:	
Extension of lines, construction of new lines, etc.	2570
FEDERAL POWER COMMISSION:	
Hearings:	
Memphis Natural Gas Co.	2572
Panhandle Eastern Pipe Line Co.	2571
FOREIGN ECONOMIC ADMINISTRATION:	
General licenses, miscellaneous amendments	2537
Glass, glass products and vegetable products; prohibited exportations	2538
Tea, exportation to Eire	2537
INTERSTATE COMMERCE COMMISSION:	
Citrus fruit, Arizona, California, and Texas; reicing	2572
Explosives, transportation; miscellaneous amendments	2570
NATIONAL WAR LABOR BOARD:	
Wage rates and adjustments; exemption of certain employers	2537
OFFICE OF DEFENSE TRANSPORTATION:	
Coordinated operations:	
Bus lines, Amarillo, Tex., and Albuquerque, N. Mex.	2576
Common carriers:	
Detroit, Mich., and Akron, Ohio	2576
Detroit and Flint, Mich.	2577
Iowa	2573
Kansas City, Mo., and points in Kansas	2573
Massachusetts and Rhode Island	2574
Midland and Saginaw, Mich.	2572
Missouri and Illinois	2575
Washington	2578
Taxicabs, Tulsa, Okla. (2 documents)	2575, 2576

(Continued on next page)



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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION:	Page
Adjustment; Beltone Hearing Aid Co.	2579
Automobile rationing (RPS 85, Am. 14)	2562
Cordwood used for manufacture of felt products (MPR 348, Am. 39)	2561
Egg products, frozen and dried (MPR 333, Am. 24)	2557
Food rationing, institutional users (Gen. RO 5, Am. 49)	2552
Foods, processed:	
Damaged foods (Rev. RO 13, Am. 15)	2567
Maximum allowable inventory (Rev. RO 13, Am. 14)	2567
Point values (Rev. RO 13, Am. 5 to Supp. 1)	2553
Foods, wholesale; marine provisioners (MPR 421, Am. 7)	2562
Gasoline rationing (RO 5C, Am. 101)	2567
Magnesium powder and dust (MPR 314, Am. 5)	2568

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Meat, fats, fish and cheeses (RO 16, Am. 111, and Am. 16, 17, 18 to Rev. Supp. 1) (4 documents)	2553, 2568
Mops and mopsticks (MPR 188, Am. 29)	2556
Photographic equipment, used (MPR 516)	2563
Pulpwood, Mobile, Ala. (RMPR 387, Am. 1)	2553
Rationing, issuance of suspension orders (Rev. PR 4)	2558
Regional and district office orders:	
Community ceiling price, list	2591
Ice; Evansville, Ind.	2590
Milk; West Liberty, Iowa	2590
Poultry, New York region	2588
Solid fuels:	
Atlantic County, N. J. (3 documents)	2586, 2588
Baltimore; Baltimore and Anne Arundel Counties, Md. (2 documents)	2580, 2582
New York region	2590
Rochester and Monroe County, N. Y. (4 documents)	2582, 2585, 2586
Shoe rationing; repatriates returning to U. S. (Exception Order 20)	2579
Softwood, distribution yard sales (2d Rev. MPR 215, Am. 2)	2553
Solid fuels delivered from producing facilities (MPR 121, Am. 29)	2552
Steel castings and railroad specialties (RSP 41, Am. 11)	2556
Syrups and molasses (RMPR 291, Am. 2)	2562
Tobacco, plug chewing (Rev. SR 15, Am. 21)	2569
SECURITIES AND EXCHANGE COMMISSION:	
Western Light & Telephone Co., hearing	2592
WAGE AND HOUR DIVISION:	
Learner employment certificates, various industries (2 documents)	2570, 2571
WAR DEPARTMENT:	
Fishing areas, approved; Hudson River, N. Y.-N. J.	2569
Transport messes, payment for subsistence	2537
WAR FOOD ADMINISTRATION:	
Fish, canned; filing of reports (FDO 44-1)	2536
Fish oil (FDO 60)	2535
Milk and cream:	
Connecticut	2534
Evansville, Ind.	2531
Fall River-New Bedford-Taunton, Mass.	2531
New England, eastern	2532
Providence, R. I.	2533
WAR PRODUCTION BOARD:	
Bristles, pigs' and hogs' (M-51)	2550
Chlorinated hydrocarbon solvents (M-41)	2538
Construction (L-41, Dir. 3)	2541
Containerboard (M-290)	2544
Cotton textile production (L-99)	2546

CONTENTS—Continued

WAR PRODUCTION BOARD:	Page
Mines and smelters (P-56)	2538
Nitro-cellulose (M-154)	2540
Tractors, track-laying, repair parts for (L-53-b)	2542
Trucks, hand (L-111, Int. 1)	2544

9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.
C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3063; Filed, March 2, 1944; 12:44 p. m.]

[FDO 79-43, Amdt. 4]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN EASTERN NEW ENGLAND METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-43 (8 F.R. 13967), relative to the conservation and distribution of fluid milk in the Eastern New England metropolitan milk sales area, issued by the Director of Food Distribution on October 11, 1943, as amended, is hereby further amended by deleting from the description of the sales area in § 1401.74 (b) the following:

The towns of Attleboro, North Attleboro and Seekonk in Bristol County, Massachusetts; the towns of Blackstone and Millville in Worcester County, Massachusetts; all the towns and cities listed as being in the State of Rhode Island; and Norfolk County, Massachusetts, and inserting in lieu of Norfolk County, Massachusetts, the following towns and cities located within said Norfolk County:

Avon, Braintree, Brookline, Canton, Cohasset, Dedham, Dover, Foxborough, Holbrook, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Quincy, Randolph, Sharon, Stoughton, Walpole, Wellesley, Westwood, and Weymouth.

The complete description of the sales area is as follows:

In Bristol County, Massachusetts, the towns and cities of Easton and Mansfield.

In Middlesex County, Massachusetts, the towns and cities of:

Arlington, Ashland, Bedford, Belmont, Billerica, Burlington, Cambridge, Chelmsford, Concord, Dracut, Everett, Framingham, Holliston, Hopkinton, Hudson, Lexington, Lincoln, Lowell, Malden, Marlboro, Maynard, Medford, Melrose, Natick, Newton, N. Reading, Reading, Sherborn, Somerville, Stoneham, Sudbury, Tewksbury, Tyngsboro, Wakefield, Waltham, Watertown, Wayland, Weston, Wilmington, and Winchester.

In Plymouth County, Massachusetts, the towns and cities of:

Abington, Bridgewater, Brockton, E. Bridgewater, Hanover, Hanson, Hingham, Hull, Norwell, Rockland, Scituate, W. Bridgewater, and Whitman.

In Worcester County, Massachusetts, the towns and cities of:

Auburn, Berlin, Boylston, Clinton, Grafton, Holden, Hopkinton, Leicester, Mendon, Milford, Millbury, Northboro, Northbridge, Paxton, Shrewsbury, Southboro, Spencer, Upton, Uxbridge, Westboro, W. Boylston, and Worcester.

In Norfolk County, Massachusetts, the towns and cities of:

Avon, Braintree, Brookline, Canton, Cohasset, Dedham, Dover, Foxborough, Holbrook, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Quincy, Randolph, Sharon, Stoughton, Walpole, Wellesley, Westwood, and Weymouth.

All the towns and cities in the counties of Essex and Suffolk, Massachusetts.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of said Food Distribution Order No. 79-43, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-43, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 1st day of March 1944.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3062; Filed, March 2, 1944;
12:44 p. m.]

[FDO 79-141]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GREATER PROVIDENCE, R. I., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.176 Quota restrictions—(a) Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler who (i) receives in a previously packaged and processed form milk, milk byproducts, or cream for delivery, and (ii) does not operate facilities for the processing and bottling of fluid milk.

(b) **Milk sales area.** The following area is hereby designated as a "milk sales area" to be known as the Greater Providence, Rhode Island, sales area, and is referred to hereinafter as the "sales area":

The territory included within the boundaries of the following cities and towns in Rhode Island:

Barrington, Bristol, Central Falls, Coventry, Cranston, Cumberland, East Greenwich, East Providence, Jamestown, Johnston, Lincoln, Middletown, Newport, North Providence,

North Smithfield, Pawtucket, Portsmouth, Providence, Smithfield, Warren, Warwick, West Warwick, and Woonsocket;

The following cities and towns in Massachusetts:

Attleboro, Bellingham, Blackstone, Franklin, Millville, North Attleboro, Plainville, Seekonk, and Wrentham.

(c) **Base period.** The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) **Quota periods.** The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, are hereby designated as quota periods for the sales area.

(e) **Handler quotas.** Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk, 100 percent; (ii) Butterfat in milk, -- percent; (iii) Cream, 75 percent; (iv) Butterfat in cream, 75 percent; (v) Milk byproducts other than cottage, pot, or bakers' cheese, 75 percent; and (vi) Cottage, pot, or bakers' cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or bakers' cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) **Quota limitations.** No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) **Quotas for handlers who are also producers.** Quotas for handlers who are also producers and who purchase no milk shall be computed in accordance with (e) hereof, except that the applicable percentages shall be 100 percent in lieu of the percentages specified in (e) (3).

(h) **Handler exemptions.** Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or bakers' cheese.

(i) **Quota exclusions and exemptions.** Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) **Transfers and apportionment of quotas.** The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) **Petition for relief from hardships.** (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) **Reports.** Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) **Records.** Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall

require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or bakers' cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., March 1, 1944.

Issued this 1st day of March 1944.
C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 44-3060; Filed, March 2, 1944;
12:44 p. m.]

[FDO 79-142]

PART 1401—DAIRY PRODUCTS

CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM IN CONNECTICUT SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.175 Quota restrictions—(a)
Definitions. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "subhandler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The entire area of the State of Connecticut is hereby designated as the "milk sales area" to be known as the Connecticut sales area, and is referred to hereinafter as the "sales area."

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota periods.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, are hereby designated as quota periods for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: — percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, or milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored

milk drink, or other beverage, containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers; (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream, from which no milk, milk byproducts, or cream is delivered in the sales area; (3) to nursery, elementary, junior high, and high schools; and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardship.* (1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market

agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director, together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) *Certain previous orders terminated.* This order supersedes and terminates, except in the respects stated herein, the following orders issued by the Director pursuant to FDO 79: FDO 79-34 (8 F.R. 13835), establishing the Bridgeport-New Haven, Connecticut, milk sales area; FDO 79-36 (8 F.R. 13838), establishing the Waterbury, Connecticut, milk sales area; and FDO 79-37 (8 F.R. 13839), establishing the Hartford-New Britain, Connecticut, milk sales area. With respect to violations of any of said orders, superseded and terminated as aforesaid, rights accrued, or liabilities incurred, prior to the effective time of the provisions hereof, each of said orders, hereby superseded and terminated, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. The surplus, if any, in the assessment fund collected from the handlers by the market agent in each of the aforesaid milk sales areas shall, after payment of the expenses of administration incurred pursuant to each of said orders, be refunded pro rata to the contributing handlers.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., March 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13233)

Issued this 1st day of March 1944.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 44-3064; Filed, March 2, 1944;
12:44 p. m.]

[FDO 60, Amdt. 2]

PART 1460—FATS AND OILS

FISH OIL

Food Distribution Order 60, as amended (8 F.R. 14785), § 1460.16, is amended to read as follows:

§ 1460.16 *Use, consumption, and processing of fish oil restricted*—(a) *Definitions.* (1) "Fish oil" means oil, other than oil produced solely from the livers or viscera of fish or marine animals, produced by the reduction of the whole or any part of any fish or marine animal of the following species, commonly known as: California sardine or Pacific Coast pilchard (*Sardina caerulea*), menhaden (*Brevoortia tyrannus*), Pacific Coast herring (*Clupea pallasi*), West Coast mackerel (*Scomber diego*), Tuna and tuna-like fish, salmon (Genus: *Oncorhynchus*), rose fish (*Sebastes marinus*), and seal. The term shall include all such oil, whether crude, refined, pressed, sulphonated or otherwise processed; and all the by-products and derivatives of such oil, including, but not limited to, foots, stearine, and fatty acids, but excluding pitch.

(2) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(3) "Quota period" means the twelve-month period beginning on October 1, of any year and ending on September 30, of the following year. For the purposes of this order, the first quota period shall begin on October 1, 1943.

(4) "Calendar quarter" means the several three-month periods of the year beginning on January 1, April 1, July 1, and October 1. With respect to the restrictions of this order, the first calendar quarter shall begin on October 1, 1943.

(5) "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions on use and consumption.* Except as provided for in paragraph (c) hereof, no person shall, in any manner, use or consume fish oil (other than in the production of fish oil as defined in paragraph (a) (1) hereof), or use or consume a product containing fish oil in a class of use listed in Schedules A or B of paragraph (c) hereof, unless and except as specifically authorized by the Director.

(c) *Exceptions.* Notwithstanding the provisions of paragraph (b) hereof, spe-

cific authorization by the Director shall not be required for:

(1) The use or consumption by any person, in any quota period, of fish oil, or any product containing fish oil, in any class of use listed in Schedule A below, in a quantity not in excess of a quota equal to the percentage specified in such Schedule A of the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by such person in such class of use during the calendar year of 1942.

SCHEDULE A

Class of use:	Permitted percentage
Manufacturer of shortening	60
Manufacture of water soluble soaps	60
Manufacture of linoleum, felt base floor covering, and oil cloth used for floor covering	60
Manufacture of oil cloth for all purposes other than floor coverings, and all coated fabrics	60

A quota established hereunder for one class of use may not be transferred to another class of use. For the purposes of this paragraph (c) (1), the term "fish oil" shall not include seal oil or Pacific Coast herring oil.

(2) The use or consumption by any person, in any calendar quarter, of fish oil, or any product containing fish oil, in any class of use listed in Schedule B below, in a quantity not in excess of a quota equal to the percentage specified in such Schedule B of the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by such person in such class of use during the corresponding calendar quarter of 1942.

SCHEDULE B

Class of use:	Permitted percentage
Manufacture of medicinals or pharmaceuticals for human or animal consumption	100
Manufacture of natural leather	100
Manufacture of terne plate, galvanized metal, and hot dipped tin	100
Manufacture of caulking compounds and putties	100
Manufacture of paints, varnishes, lacquers, and other protective coatings, except alkyd resins or paint reducing oils	60

A quota established hereunder for one class of use may not be transferred to another class of use. For the purposes of this paragraph (c) (2), the term "fish oil" shall not include seal oil or Pacific Coast herring oil.

(3) The use or consumption by any person of any fish oil, other than seal oil or Pacific Coast herring oil, in the manufacture of alkyd resins, or as a rubber compounding ingredient in the manufacture of natural or synthetic rubber products.

(4) The use or consumption by any person of seal oil or Pacific Coast herring oil in the manufacture of natural leather.

(5) The use or consumption by any person of any fish oil, other than seal oil, in the manufacture of water insoluble metallic soaps, lubricants, or metal working compounds, other than core oils.

(6) The use or consumption by any person of fish oil, other than seal oil or

FEDERAL REGISTER, Tuesday, March 7, 1944

Pacific Coast herring oil, in the manufacture of vitamin feeding oil to be used for feeding poultry, if such vitamin feeding oil is fortified, by such person, to contain not less than 400 A. O. A. C. units of Vitamin D per gram of oil without regard to the fish-oil content of such oil.

(7) The use or consumption by any person of salmon oil in the manufacture of canned salmon.

(8) The use or consumption of fish oil, other than seal oil, in any calendar quarter, by any person other than a feed manufacturer, who does not use or consume in excess of 1,000 pounds of fish oil during such calendar quarter.

(d) *Restrictions on processing.* Unless and except as specifically authorized by the Director, no person shall process seal oil, except in such a manner as to render it suitable for use or consumption in the manufacturing of natural leather; or Pacific Coast herring oil, except in such a manner as to render it suitable for use or consumption in the manufacture of natural leather, lubricants, water insoluble metallic soaps, or metal working compounds, other than core oil.

(e) *Applications for authorizations.* Every person requiring an authorization to use or consume fish oil in any calendar month shall file an application therefor on or before the fifteenth day of the calendar month preceding the calendar month in which the applicant desires to use or consume the fish oil covered by the application. The application shall be made on Form FDA-478, or such other form or forms as the Director may prescribe, and shall be forwarded to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO-60. The Director may prescribe in each authorization the period of time in which the authorization shall be effective. No person shall take any action pursuant to, or in reliance on, an authorization which has expired.

(f) *FDO-42.* The restrictions of this order shall be construed as being supplemental to the restrictions of Food Distribution Order 42, as amended.

(g) *Records and reports.* (1) Every person who in any calendar quarter uses or consumes more than 6,000 pounds of fish oil shall:

(i) Fill out and file, for each month of such quarter, Bureau of the Census Form BM-1, or such other form or forms as may be prescribed by the Director, with the Bureau of the Census, Washington 25, D. C. The report for each month shall be filed on or before the fifteenth day of the succeeding month.

(ii) Fill out and file for such quarter, Bureau of the Census Form BM-2, or such other form or forms as may be prescribed by the Director, with the Bureau of the Census, Washington 25, D. C. The report for each quarter shall be filed on or before the fifteenth day of the second month of the succeeding quarter.

Nothing in this paragraph (g) (1) shall be construed as requiring any person to file more than one form BM-1 for any month, or more than one form BM-2 for any quarter. The provisions of Food Distribution Order 37, as amended, shall apply to the filling out of Form BM-1 with respect to sperm oil.

(2) Every person who used or consumed more than 4,000 pounds of fish oil, including the fish oil contained in any product, in the calendar year of 1942, in the classes of use set forth in Schedule A of paragraph (c) (1) hereof, shall on or before April 1, 1944, report to the Director, by letter, the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by him in each class of use set forth in said Schedule A, in the calendar year of 1942.

(3) Every person who used or consumed more than 4,000 pounds of fish oil, including the fish oil contained in any product, in the calendar year of 1942, in the classes of use set forth in Schedule B of paragraph (c) (2) hereof, shall on or before April 1, 1944, report to the Director, by letter, the amount of fish oil (including the amount of fish oil contained in any product) used or consumed by him in each class of use set forth in said Schedule B, in each calendar quarter of the calendar year of 1942.

(4) The Director shall be entitled to obtain such information from, and require such reports and keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(5) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fish oil.

(6) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of fish oil of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 60. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(j) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making

any deliveries of, or using fish oil, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such persons be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 60.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate any or all of the authority vested in him by this order to any employee of the United States Department of Agriculture.

(m) *Territorial extent.* This order shall apply only in the forty-eight States of the United States, the District of Columbia, and the Territory of Alaska.

(n) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., on March 2, 1944. However, with respect to violations of Food Distribution Order 60, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 60, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 2d day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3101: Filed, March 2, 1944;
4:59 p. m.]

[FDO 44-1, Amdt. 2]

PART 1465—FISH AND SHELLFISH

FILING OF REPORTS; CANNED FISH

Food Distribution Order No. 44.1, issued by the Director of Food Distribution on May 4, 1943, as amended (8 F.R. 5825, 9488), is further amended to read as follows:

§ 1465.21 *Reports in connection with restricted canned fish*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 44, as amended (8 F.R. 4227, 8797), shall, when used herein,

have the same meaning as is set forth for such term in said Food Distribution Order No. 44, as amended.

(2) The term "packing season" means the period from the time when a canner first commences to pack fish on or after March 1, 1944, until the date that such canner ceases to pack fish, or February 28, 1945, whichever date is the earlier.

(b) *Weekly reports.* Each canner shall report on Form FDO-44-1 (Revised 3/1/44), entitled "Canned Fish: Weekly Pack Report," the quantity of each class of fish packed by him each calendar week of his packing season. Such report shall be submitted for each calendar week during the respective canner's packing season, and such reports shall be submitted even though no fish may be packed by such canner during a particular week. Reports for the calendar weeks or parts of calendar weeks subsequent to the effective date hereof shall be submitted as aforesaid within four days after the last day of each such calendar week.

(c) *Seasonal reports.* In addition to the weekly reports described in (b) hereof, each canner shall report on Form FDO-44-1 (Revised 3/1/44), the total quantity of each class of fish respectively, which were packed by him during his packing season, and submit such report within 15 days after the termination of such packing season.

(d) *Completion of reports.* All reports submitted pursuant to (b) and (c) hereof shall be completed pursuant to the instructions contained on Form FDO-44-1 (Revised 3/1/44). The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Filing of reports.* All reports required to be submitted pursuant to this order by canners in the Territory of Alaska and in the States of Washington, Oregon, and California shall be addressed to Regional Director of Food Distribution, War Food Administration, Ref. FD-44, 821 Market Street, San Francisco 3, California; reports by canners in other States shall be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FD-44.

(f) *Previous requirements continued in effect.* With respect to violations of Food Distribution Order No. 44-1, as heretofore amended, rights accrued or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order No. 44-1, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(g) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., March 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 44, 8 F.R. 4227, 8797)

Issued this 3d day of March 1944.

LEE MARSHALL,
Director of Food Distribution.

[F. R. Doc. 44-3160; Filed, March 4, 1944;
12:42 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter IX—Transport

PART 91—GENERAL TRANSPORT REGULATIONS

PAYMENT FOR SUBSISTENCE

Paragraph (f) (1) of § 91.25 is hereby amended to read as follows:

§ 91.25 *Transport messes.* * * *

(f) *Payment for subsistence required—(1) General; rates.* All persons chargeable for subsistence will pay the ship transportation officer or transportation agent before the sailing of the transport, except as hereinafter provided, at rates to be determined and prescribed by the Chief of Transportation semiannually, effective 1 January and 1 July each year, except that commissioned personnel permanently assigned to duty aboard ship and not traveling pursuant to change of station will pay the approximate cost of subsistence of the saloon mess as determined each month by the ship transportation agent. (R.S. 161; 5 U.S.C. 22) [Par. 12a, AR 55-420, 1 September 1942, as amended by C 2, 24 February 1944]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-3172; Filed, March 6, 1944;
10:23 a. m.]

9. Photo engravers (approved November 13, 1943).

10. Schiffli embroidery industry in Region II (approved November 13, 1943).

11. Grocery stores and meat markets in Region IX (approved November 13, 1943).

12. Operators in the lumber and pulp industry in Region I (approved January 8, 1944).

13. Retail lumber establishments in Regions VI, VII, VIII, IX, and XII (approved January 17, 1944).

14. Retail butcher shops in Louisville, Ky., area, whether exclusively or in conjunction with or as a part of some other retail business (approved February 5, 1944).

15. Employers engaged in the business of window cleaning in the Greater Cleveland Area (approved February 8, 1944).

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-3135; Filed, March 3, 1944;
1:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control [Ammdt. 152]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

EXPORTATION OF TEA TO EIRE

Section 805.3 *General license provisions* is hereby amended by adding thereto paragraph (d) as follows:

(d) Notwithstanding any other provision of this part, the exportation of tea to Eire pursuant to general licenses granted in this section is permitted: *Provided*, That not more than one-half pound is mailed per month from one exporter to one consignee.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E. O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: February 28, 1944.

S. H. LEBENSEURGER,
Director, Requirements and Supply
Branch, Bureau of Supplies.

[F. R. Doc. 44-3161; Filed, March 4, 1944;
12:39 p.m.]

[Ammdt. 153]

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Paragraph (a) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following commodities:

Commodity:	Schedule B No.
Paraffin wax, refined	5046.00
Paraffin wax, unrefined	5045.00

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effec-

tive date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

Subparagraph (8) of paragraph (a) of § 802.16 *General license, gifts to prisoners of war and internees* is hereby amended in the following particulars:

(1) By adding to the list of commodities under the heading "Miscellaneous items" the commodity "single blankets", and

(2) By amending the commodity description "Seasoning materials (pepper and spices)" to read "Seasoning materials (except pepper)".

With respect to the amendments of § 802.10, this amendment shall become effective March 9, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 1, 1944.

S. H. LEBENBURGER,
Director, Requirements and Supply
Branch, Bureau of Supplies.

[F. R. Doc. 44-3162; Filed, March 4, 1944;
12:39 p. m.]

[Amdt. 154]

PART 801—GENERAL REGULATIONS GLASS, GLASS PRODUCTS AND VEGETABLE PRODUCTS

Section 801.2 *Prohibited exports* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

*Commodity and Department of
Commerce No.*

	General License Group
Glass and Glass products:	
Beverage bottles, including soda, beer, and alcoholic-beverage bottles, 5234.00	K
Vegetable products, miscellaneous:	
Vegetable paste, adhesive, gum powder, or vegetable glue products (<i>dry or liquid form</i>) containing less than 50% dextrose, 2999.98	K
Vegetable paste, adhesive, or vegetable glue products (<i>liquid form</i>) containing 50% or more dextrose (Report dry vegetable paste, white paste and dry vegetable glue containing 50% or more dextrose under B 8233.00), 2999.98	None

Shipments of the above commodities are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this

amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

With respect to "Vegetable products, miscellaneous" this amendment shall become effective March 9, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated March 3, 1944.

S. H. LEBENBURGER,
Director, Requirements and Supply
Branch Bureau of Supplies.

[F. R. Doc. 44-3163; Filed, March 4, 1944;
12:39 p. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 996—CHLORINATED HYDROCARBON SOLVENTS

[General Preference Order M-41, Revocation]

Section 996.1 *General Preference Order M-41* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty incurred under said order.

Issued this 3d day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3136; Filed, March 3, 1944;
1:58 p. m.]

PART 3201—MINING

[Preference Rating Order P-56 as Amended
Mar. 3, 1944]

MINES AND SMELTERS

§ 3201.11 Preference Rating Order P-56—(a) Purpose and scope. This order explains how operators of mines and smelters in the United States and in foreign countries may get the materials and products they need to carry on their operations. The materials covered include not only maintenance, repair, and operating supplies, including controlled materials, but also machinery, other kinds of materials, and equipment. This order does not apply, however, to an operator of a nonessential mine as defined in Limitation Order L-208.

(b) Definitions. (1) "Producer" means a person operating any of the following enterprises, whether in the United States, or any of its territories, or in a foreign country, but does not include any enterprise defined as a "nonessen-

trial" mine in Order L-208 or any like enterprise located outside the United States, its territories or possessions: (i) any plant actually engaged in the extraction by surface, open-pit, or underground methods, or in the beneficiation, concentration, or preparation for shipment of the products of mining activity; (ii) any plant wholly engaged in the processing and burning of refractories; (iii) any plant producing any material listed below by smelting or refining processes, and to whom a serial number has been issued under Preference Rating Order P-73, or is hereafter issued as provided in paragraph (c):

Antimony	Nickel
Cobalt	Platinum
Copper	Tin
Iridium	Tungsten
Lead	Vanadium
Mercury	Zinc
Molybdenum	

(iv) any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects, including the construction of access roads; and (v) mines, concentrating mills, smelters, railroads, power plants, refineries, and appurtenances owned and operated by the companies holding serial numbers under Preference Rating Order P-58 on December 24, 1943.

(2) "District" means a mine supply control district of the Foreign Economic Administration.

(3) "Maintenance, repair, and operating supplies" means material used for the following purposes by producers in the conduct of enterprises described above in paragraph (b) (1): (i) minimum upkeep necessary to continue the working condition of essential property or equipment, and (ii) restoration of essential property or equipment to a sound working condition after wear and tear, damage, destruction or failure of parts, or the like have made the property or equipment unfit or unsafe for service; and supplies which are essential to and consumed or worn out in the conduct of such enterprises. In addition, except as hereinafter noted, the term "maintenance, repair, and operating supplies" includes minor capital additions normally necessary to the operation of the enterprise, but not exceeding in cost \$500 (excluding purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph.

Producers Holding Serial Numbers

(c) *Priorities assistance for producers with serial numbers.* Producers holding serial numbers, which may be obtained in the manner specified in paragraph (f), may apply for priorities assistance as follows:

(1) For maintenance, repair, and operating supplies, by filing the appropriate mine quota application form with the

Mining Division, War Production Board, Washington 25, D. C., as follows:

Metal mines.....	Form WPB-2937
Coal mines.....	Form WPB-2938
Non-metallic mines.....	Form WPB-2939
Smelters and refineries.....	Form WPB-2040
Core or churn drill operators.....	Form WPB-2937

For the first and second quarters of 1944, in order to purchase minor capital additions as defined in paragraph (b) (3), a producer must apply for a dollar value quota by letter filed with the Mining Division, War Production Board, Washington 25, D. C. A producer who has several plants or other operating units, even though they maintain separate records of maintenance, repair, and operating supplies, may apply in such letter for a single, aggregate quota covering all of such units, designating the several serial numbers involved. After the second quarter of 1944, application for a dollar value quota for the purchase of such minor capital additions may be made on the appropriate mine quota application form listed above.

(2) For other machinery, materials and equipment, by submitting to the Mining Division, War Production Board, Washington 25, D. C., an application on Form WPB-1319. In submitting applications under this subparagraph, Form WPB-1319 may be accompanied by a letter giving any unusual circumstances relevant to the application.

Foreign Producers Operating Under Mine Supply Control Districts

(d) *Priorities assistance for certain foreign producers operating under mine supply control districts.* To enable a producer not holding a serial number hereunder and located outside the continental United States and within the jurisdiction of a district to obtain priorities assistance, the following procedure is established:

(1) For maintenance, repair, and operating supplies a district may apply for priorities assistance by filing Form WPB-2937 with the Mining Division, War Production Board, Washington 25, D. C. A producer not holding a serial number and located in a district may apply for priorities assistance by submitting to such district his purchase orders for maintenance, repair, or operating supplies, together with such information as may be required by the district. Within the limits of the priorities assistance granted to it pursuant to this paragraph (d) (1), such district may authenticate any such purchase order for maintenance, repair, or operating supplies by indicating the appropriate priorities assistance and countersigning the purchase order as follows:

Approved:

Name of district

Signature of authorized official

(2) For other machinery, materials, and equipment, a producer not holding a serial number and located within a district may submit to the War Production Board, Form WPB-1319, such application to be endorsed with the signed

approval of the district within which the applicant is located.

(3) A distributor of maintenance, repair, or operating supplies or of other machinery, materials, or equipment used by producers, who is located outside the United States and within the jurisdiction of a district, may apply for priorities assistance in the same manner as prescribed in paragraphs (d) (1) and (d) (2) for producers not holding serial numbers and located within the jurisdiction of a district.

Other Producers Not Holding Serial Numbers

(e) (1) *Priorities assistance for other producers not holding serial numbers.* A preference rating of AA-5 is hereby assigned to delivery orders for maintenance, repair, and operating supplies, except minor capital additions as defined in paragraph (b) (3), placed by producers operating within the United States, its territories and possessions, and not holding serial numbers (other than operators of nonessential mines as defined in Limitation Order L-208). Such producers may apply for higher ratings for maintenance, repair, or operating supplies by filing Form WPB-2910 with the Mining Division of the War Production Board, Washington 25, D. C. Such producers may apply for priorities assistance for machinery or equipment by filing Form WPB-1319 with the Mining Division of the War Production Board, Washington 25, D. C. Foreign producers, not holding serial numbers and not located in a mine supply control district, may apply for priorities assistance for maintenance, repair, and operating supplies, exclusive of minor capital additions, by filing Form WPB-2910 with the Mining Division of the War Production Board, Washington 25, D. C., and for machinery or equipment, including minor capital additions, by filing Form WPB-1319 with the Mining Division of the War Production Board, Washington 25, D. C.

(2) *Emergency procedure for non-serialized mines.* In case of actual or impending breakdown, producers not holding serial numbers may apply for priorities assistance on Form WPB-1436 or by telegraph either to the Washington Office or the nearest regional or district office of the War Production Board.

Serial Numbers

(f) *Issuance of serial numbers.* Applications for serial numbers may, in the case of producers within the continental limits of the United States, be filed with the appropriate War Production Board Regional Office, Attention: Regional Technical Advisor, Mining Division; or with the appropriate State Coordinator of Mines for transmission to such Regional Advisor; or with the Mining Division, War Production Board, Washington, D. C. Serial number application by districts must be filed with the Mining Division, War Production Board, Washington 25, D. C. Applications by all other foreign producers should also be

filed with the Mining Division, War Production Board, Washington 25, D. C. In filing such application, the following forms shall be used:

Metal mines.....	Form WPB-1212
Coal mines.....	Form WPB-2784
Non-metallic mines.....	Form WPB-2758
Core or churn drill operators.....	Form WPB-2952

Smelters and refineries shall apply by letter. In issuing and cancelling serial numbers, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of the critical material involved, and the importance to national defense of competing demands for such material, and competing demands for manpower and transportation. Serial numbers issued under Preference Rating Orders P-58 and P-73, and not cancelled prior to December 24, 1943, are hereby confirmed and shall be considered as having been issued under this Order P-56.

Use of Priorities Assistance; All Producers

(g) *Application and extension of priorities assistance.* The way to use preference ratings is explained in Priorities Regulation No. 3, and the way to use allotments, both in placing authorized controlled material orders and in making allotments, is explained in CMP Regulation No. 1. Instead of using the certification prescribed by those regulations or by any other regulation of the War Production Board, including Priorities Regulation No. 7, the producer may use the following endorsement signed manually or as provided in Priorities Regulation No. 7:

Allotment number _____
Preference rating _____
Order authorized under Preference Rating Order P-56, Serial No. _____

He shall not add the symbol "MRO" despite the certification instructions in CMP Regulation No. 5 or any other regulation. Requirements of other orders of the War Production Board as to special certifications remain applicable, but the foregoing endorsement shall be added to such certification. The use of the foregoing endorsement by a producer shall constitute a representation, subject to the criminal penalties for misrepresentation contained in section 35A of the Criminal Code (18 U. S. C. 80) that the material or equipment ordered will be used for the purpose for which priorities assistance was granted to acquire it. Preference ratings assigned for maintenance, repair, and operating supplies on Forms WPB-2910 (non-serialized producers only), 2937, 2938, 2939, and 2040 may not be used to obtain items on List A or List B of Priorities Regulation No. 3. Any items which are purchased without the use of preference ratings need not be charged against authorized dollar quotas.

(h) *Restrictions on receipts and inventories.* Notwithstanding the provisions of any other order or regulation of the War Production Board, including CMP Regulation 2, receipts and inventories of producers shall be subject to the follow-

FEDERAL REGISTER, Tuesday, March 7, 1944

ing restrictions only: No producer shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1938, 1939, and 1940.

(i) *Restrictions on use and resale of material.* Notwithstanding § 944.11 of Priorities Regulation No. 1, no producer shall use any material, whether or not obtained pursuant to this order, for any purpose other than that for which priorities assistance was granted to acquire it; nor may he sell any material (including machinery and equipment), which he has used in the conduct of any enterprise described in paragraph (b) (1), whether or not he obtained such material with priorities assistance under this or any other order, except:

- (1) To a producer holding a serial number hereunder, or
- (2) With the written approval of the War Production Board applied for by letter to the Mining Division, or
- (3) With the written approval of a district if he is a non-serialized producer located within such district, or
- (4) As permitted by Priorities Regulation No. 13.

Applicability of Other Regulations and Orders

(j) (1) *CMP Regulation No. 5 and other regulations of the War Production Board.* None of the restrictions contained in CMP Regulation No. 5 shall be applicable to producers, and no producer shall obtain any material under CMP Regulation No. 5. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For example, Order E-5—a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P-56 are in the same position providing that certification clauses and all other provisions of such other orders are complied with.

(2) *Restriction on use of priorities assistance.* No producer, except as permitted by paragraph (e), shall acquire any maintenance, repair, or operating supplies through the use of any preference rating except after filing an application with the Mining Division of the War Production Board on the appropriate mine quota application form as specified in paragraphs (c) (1) and (d) (1). No producer shall acquire any machinery or equipment (other than maintenance, repair, and operating supplies) through the use of any preference rating or any specific authorization of the War Production Board except after filing Form WPB-1319 in the manner above

provided, which shall be accompanied by the special application form, if any, required by any other order, or except after filing a project application.

Miscellaneous Provisions

(k) *Records, audits, and reports.* Each producer and each distributor shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer and each distributor shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board may from time to time require.

(l) *Federal Reports Act of 1942.* The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Mining Division of the War Production Board, Washington 25, D. C., referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Communications.* All reports and applications hereunder and all other communications with respect to this order shall, except as otherwise specifically provided, be addressed to the Mining Division, War Production Board, Washington 25, D. C., Ref: P-56.

(o) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3rd day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION I

APPLICABILITY TO CUTTING AND POLISHING OPERATIONS AT THE QUARRY

The term "producer" as defined in Preference Rating Order P-56 includes persons operating a quarry and also persons conducting further cutting and polishing operations at the quarry site, such as the manufacture of building stone and tombstones. These latter operations are included in the phrase "preparation for shipment, of the products of mining activity" appearing in paragraph (b) (1) (1) (§ 3201.11) of the order.

Since paragraph (j) (1) of the order forbids "producers" from obtaining any materials under CMP Regulation 5, producers of tombstones or other stone products at the quarry site may not operate under this regulation but must get priorities assistance exclusively under Order P-56.

The manufacture of tombstones and structural stone at a separate plant away from the quarry is not covered by Order P-56, and priorities assistance for MRO supplies required in such operations may be obtained under CMP Regulation 5. Under CMP Regulation 5, a rating of AA-2 is assigned to persons engaged in the manufacture of structural stone, while persons engaged in the manufacture of tombstones and monuments may use the AA-5 rating which is assigned under that regulation to unlisted business. (Issued Nov. 13, 1943.)

[F. R. Doc. 44-3137; Filed, March 3, 1944;
1:58 p. m.]

PART 3293—CHEMICALS

[General Preference Order M-154 as Amended Mar. 4, 1944]

NITRO-CELLULOSE

Section 3293.186 *General Preference Order M-154* is hereby amended to read as follows:

§ 3293.186 *General Preference Order M-154—(a) Definitions.* For the purpose of this order, "nitro-cellulose" means plasticized cellulose nitrate in the following forms:

- (1) First grade rod (unfabricated);
- (2) First grade tube (unfabricated);
- (3) First grade cake sheet (unfabricated), not including pieces having an area of less than 2 square feet produced as a by-product of normal slicing, polishing, or fabricating operations; and

(4) First grade continuous sheeting (unfabricated), not including butt rolls having less than one inch of material on the core, and not including trim rolls less than 4 inches in width produced as a by-product of normal slitting or trimming operations.

(b) *Restrictions on use.* No person shall use in any month more than a total of 50 pounds of nitro-cellulose in the manufacture of all articles set forth in Exhibit A annexed, regardless of preference ratings.

(c) *War use exemption.* Nothing in paragraph (b) above shall apply to the use of nitro-cellulose by the U. S. Army, Navy, Coast Guard, Maritime Commission, or War Shipping Administration, or by any person pursuant to the terms of any contract or order for nitro-cellulose articles to be delivered to, or incorporated into products to be delivered to, those agencies.

(d) *Existing stocks exemption.* Nothing in paragraph (b) above shall apply to a person's use of nitro-cellulose which:

(1) Was owned by him and was not in the possession of his supplier on the effective date of the restriction on the article, or

(2) Was owned by him and was stored by his supplier to comply with fire-prevention regulations, on the effective date of the restriction on the article, or

(3) Was in the possession of his supplier, and on his order had been so processed prior to the effective date of the restriction on the article as to render impracticable the use of the nitro-cellulose in a manner not subject to restrictions under this order.

(e) *Notification to customers.* Producers of nitro-cellulose are requested to

notify each of their regular customers as soon as practicable of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Effect of other orders*. Nothing in this order shall be construed to permit the manufacture of any article prohibited or curtailed by the terms of any other War Production Board order.

(3) *Reports*. Each person affected by this order shall file such reports as may from time to time be required by the War Production Board, subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(4) *Violations*. Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or

agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making, or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which the appellant is located, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-154.

Issued this 4th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—Continued

Item	Effective date of restriction
Handbag frames.	Mar. 26, 1943
Hats and hat ornaments.	Jan. 9, 1943
House address numbers.	Mar. 26, 1943
Jewelry and ornaments, including hand fabricated jewelry.	Mar. 26, 1943
Jewelry cases and watch boxes.	Sept. 1, 1942
Laminations and covers to photographs and pictures.	Mar. 26, 1943
Laundry hampers.	Sept. 1, 1942
Nameplates, but not including equipment, data and instruction plates.	Sept. 1, 1942
Napkin rings.	Sept. 1, 1942
Novelties, miscellaneous.	Sept. 1, 1942
Pencils, novelty.	Jan. 9, 1943
Picture and mirror frames.	Sept. 1, 1942
Plaques and laminated plaques.	Jan. 9, 1943
Poker chips.	Jan. 9, 1943
Premium items.	Sept. 1, 1942
Protective envelopes and laminations to paper for other than documents.	Jan. 9, 1943
Permanent records, blueprints and industrial charts.	Mar. 26, 1943
Ration book cases.	Jan. 9, 1943
Sculptured pieces.	Sept. 1, 1942
Seasonal ornaments and ornamental lighting fixtures.	Sept. 1, 1942
Shoe horns.	Sept. 1, 1942
Shoe trimmings.	Jan. 9, 1943
Sleeve protectors.	Mar. 26, 1943
Soda fountain and beverage dispensing accessories, beer scrapers, beverage stirrers, drinking straws.	Sept. 1, 1942
Table mats, coasters and table ornaments.	Sept. 1, 1942
Tableware cases and boxes.	Sept. 1, 1942
Tie racks.	Sept. 1, 1942
Vending machines and parts.	Mar. 26, 1943
Wall shields.	Mar. 26, 1943

EXHIBIT A

Item	Effective date of restriction
Advertising specialties and other items used for advertising purposes and miscellaneous novelties.	Sept. 1, 1942
Amusement machines and parts.	Sept. 1, 1942
Animal feeding dishes and cups.	Mar. 26, 1943
Artificial flowers, flower pots, and florists' supplies, including plant markers.	Sept. 1, 1942
Badges, emblems and campaign buttons, except the following: Personal identification required by governmental agencies, personnel and plant identification for industrial use, tags and badges required for tax purposes by state and municipal governments, public safety personnel of state and municipal governments.	Jan. 9, 1943
Bill folds.	Mar. 26, 1943
Book covers and book marks.	Sept. 1, 1942
Book ends and book stands.	Jan. 9, 1943
Buttons and buckles, decorative.	Mar. 26, 1943
Calendars.	Jan. 9, 1943
Caskets, decorative parts.	Sept. 1, 1942
Closet accessories.	Sept. 1, 1942
Clothes hangers.	
Hat boxes.	
Hat stands.	
Shoe horns.	
Shoe trees.	
Tie racks.	
Coin banks and other coin holders.	Jan. 9, 1943
Crumb scrapers.	Mar. 26, 1943
Curtain fixtures and window pulls.	Mar. 26, 1943
Displays, including but not limited to: advertising printing, containers and packages, including all transparent boxes and food covers; fixtures; mannequins and hosiery forms; signs and advertising sign letters.	Sept. 1, 1942
Furniture and furniture parts.	Mar. 26, 1943
Greeting cards and components.	Jan. 9, 1943
Handbags and components, except handbag cement and slide fasteners.	Sept. 1, 1942

PART 1075—CONSTRUCTION

[Conservation Order L-41, Direction 3]

BLANKET PERMISSION FOR MISCELLANEOUS CONSTRUCTION

The following direction is issued pursuant to Conservation Order L-41.

(a) The War Production Board has been issuing blanket authorizations to applicants permitting them to carry on miscellaneous construction over a fixed period. Instructions as to how to apply for blanket authorizations have been described in WPB-43 (formerly PDL-362). The need for blanket authorizations has been largely eliminated by the recent transfer of processing of small construction applications to the Field offices, by the simplification of War Production Board procedures under Direction 1 to CMP 6, and by the exception of certain types of minor capital additions under paragraph (d) of L-41. For this reason blanket authorizations will no longer be issued generally but only in cases where it appears that the filing of individual project applications will interfere with the war effort or cause extreme hardship.

(b) In these circumstances applications for blanket authorization may be made on form WPB-617. Separate applications must be made for each "unit" as defined in paragraph (1) of L-41. The applicant will prepare his application in the same way he would prepare an application to do a single job and in accordance with the instructions to form WPB-617. The need for a blanket authorization must be firmly established. The application should be filed with the Field office of the War Production Board having jurisdiction if the total cost of the miscellaneous construction is less than \$25,000; if it is \$25,000 or more the application should be filed with the War Production Board, Washington 25, D. C.

(c) Blanket authorizations will permit the builder to do miscellaneous routine construction but no materials may be acquired or used contrary to the Limitations which will be made a part of the authorization. In the case of equipment items which must be listed on the application, the builder may use only those which are specifically approved. The use of such items or deviations from the construction Limitations will be approved only in exceptional cases. The applicant will be permitted to use the allotment symbol F-6 and

the rating assigned for the procurement of material. While the blanket authorization will cover a number of jobs, no one job costing more than \$10,000 will be authorized, and in certain cases a lower cost limit per job may be fixed. No reports of materials used will be required. No job for which tax amortization privileges will be requested may be included in a blanket application. A separate application should be filed for each such job at the time the request for tax amortization is made.

(d) This direction supersedes WPBI-43 (formerly PDL-362).

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3213; Filed, March 6, 1944;
11:14 a. m.]

PART 1157—CONSTRUCTION MACHINERY
[Supplementary General Limitation Order
L-53-b, as Amended Mar. 6, 1944]

REPAIR PARTS FOR TRACK-LAYING TRACTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.7 Supplementary General Limitation Order L-53-b—(a) Definitions. For the purpose of this order:

(1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads, obtaining traction and steered by a full crawler or track-type device; but does not include Ordnance models of tank-type construction such as models M-2, M-4 and M-5.

(2) "Repair part" means:

(i) Any part manufactured for use in the repair of track-laying tractors, but not parts sold to other manufacturers for manufacturing purposes; and

(ii) Tools which bear a producer's standard parts number and which are used in servicing track-laying tractors or attachments.

(3) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(4) "Producer" means any person engaged in the manufacture of both track-laying tractors and repair parts.

(5) "Domestic dealer or distributor" means any person located within the United States or Canada who, by agreement with a producer, has been granted a sales territory for the sale of repair parts within the United States or Canada.

(6) "Export dealer or distributor" means any dealer or distributor, who, by agreement with a producer, has been granted a sales territory for the sale of repair parts outside the United States and Canada.

(7) "Certificate of minimum requirements" means a declaration in writing

by a purchaser pursuant to paragraph (c) (1) of this order.

(8) "War project" means:

(i) A construction project (and maintenance and operation thereof) undertaken by, or contracted for by or for the account of, the Army, the Navy, Maritime Commission or Defense Plant Corporation, or any other construction project granted a preference rating of AA-4 or higher under any order in the P-55 or P-19 series.

(ii) Any other project which shall be so designated by the War Production Board.

(9) "Essential civilian operation" means:

(i) The operation of any mine that holds a serial number under Preference Rating Order P-56;

(ii) Any operation directly incident to the production of logs of any species, including the delivery of logs to sawmills, pulp mills or other dealers in or users of logs;

(iii) Any operation directly incident to the planting, growing or harvesting of agricultural products (excluding flowers, shrubs and other plants grown for decorative purposes);

(iv) Any operation in the petroleum industry directly incident to production, natural gasoline production, transportation (by pipe line), refining, or marketing (other than retail marketing), as these terms are defined in Preference Rating Order P-98-b as amended;

(v) Any operation directly incident to the transportation (by pipe line) and marketing (other than retail marketing) of natural gas; or

(vi) Any other operation or project which shall be so designated by the War Production Board.

(10) "United States" means the forty-eight states of the United States and the District of Columbia.

(11) "Foreign base" means a construction project (and maintenance and operation thereof) located outside the United States and Canada, being built for or under the supervision of the War Department, Navy Department, or other United States Government agency by civilian contracting or engineering organizations which normally purchase repair parts from sources located within the United States.

(12) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration or any of the following persons when acting as the authorized procurement agents for the Navy:

(i) George A. Fuller Co. and Merritt-Chapman and Scott Corp.;

(ii) M. T. Reed Company;

(iii) Siems-Drake, Puget Sound;

(iv) Pacific Naval Air Bases.

(b) *Limitations on sales by producers.*

(1) No producer shall sell or deliver repair parts except to:

(i) A military agency,

(ii) A domestic dealer or distributor located within the United States or Canada, or

(iii) Any person for export outside the territorial limits of the United States and Canada subject to paragraph (b) (2) hereof.

(2) No producer shall sell or deliver repair parts to any person (other than a domestic dealer or distributor for delivery to persons engaged on foreign bases, a military agency, or an export dealer or distributor) for export outside the territorial limits of the United States and Canada except upon receipt of Form WPB-1319 (or Form PD-556) approved by the War Production Board. In order to receive such approval, a purchaser shall file Form WPB-1319 (or Form PD-556), in quadruplicate, with the War Production Board, Washington 25, D. C., Ref.: L-53-b. Nothing in this order shall be deemed to relieve any person from the necessity of obtaining an export license from the Board of Economic Warfare, where such license is required.

(3) [Deleted Mar. 6, 1944]

(4) Except as provided in paragraph (b) (5) of this order or unless specifically authorized in writing by the War Production Board, no producer shall during any calendar quarter sell or ship to any domestic dealer or distributor a quantity of repair parts of a value, at invoice price, in excess of either \$500.00 or 60 percent of the value of such producer's shipments to such domestic dealer or distributor during the preceding six calendar months, whichever is the greater.

(5) Notwithstanding the provisions of paragraph (b) (4) of this order, a producer may sell or ship to any domestic dealer or distributor during any calendar quarter repair parts in an amount up to and including 25 percent in excess of the quota of such domestic dealer or distributor as computed in accordance with the terms of paragraph (b) (4) of this order, but any sales or shipments in excess of such quotas shall be charged against the quota of such domestic dealer or distributor for the next calendar quarter, and such excess shipments shall not be used in computing any base period quota thereafter.

(c) *Limitations on sales by domestic dealers and distributors.* (1) Except as provided in paragraphs (c) (3), (c) (4), and (c) (5) of this order, no domestic dealer or distributor of repair parts shall sell or deliver any repair parts to any person (except a producer or another domestic or export dealer or distributor) unless he has received from such person a certificate of minimum requirements for specific track-laying tractors for which repair parts are sought to be purchased. The purchaser shall furnish such certificate of minimum requirements in one of the following ways:

(i) In the case of a written purchase order, the purchaser shall endorse thereon or attach thereto a certification in substantially the form set forth below, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, and giving all of the information called for:

Pursuant to the terms of Limitation Order L-53-b of the War Production Board the undersigned certifies to the seller and to the War Production Board that the following statements are correct:

(I) _____

Make and model of track-laying tractor(s) for which repair parts are sought

(II) _____
Factory serial number(s)
(III) _____
Owner of track-laying tractor(s)

(IV) _____
Type of work being performed by track-laying tractor(s) described above (describe the job specifically, e. g., mining, logging, agriculture, highway maintenance, airport construction, etc.)

(V) _____
Contract number of war agency or P-19 or P-55 serial number and rating, if any

(VI) The purchaser hereby certifies that he has registered all construction equipment owned by him pursuant to the terms of Limitation Order L-196, unless exempt from the requirements of such order.¹

(VII) The purchaser hereby certifies that the repair parts listed on the purchase order to which this certificate pertains are the minimum quantity of repair parts immediately necessary to put such track-laying tractor(s) in serviceable condition, and are not for stock.

(VIII) The purchaser hereby certifies that he does not have like parts on hand or on order to repair the above-described track-laying tractor(s).

Date _____

Name of purchaser _____

Address of purchaser _____

¹ Item (VI) of the certificate of minimum requirements is not to be included in certificates used by persons in Canada.

(ii) In the case of a purchase order placed by telegraph, the purchaser shall include in the telegram: all information specified in items (I), (II), (III), (IV) and (V) of the certification prescribed in paragraph (c) (1) (i), the statement "Certified under L-53-b", and the name of the person sending the telegram, provided that such person shall be an official duly authorized to make such certification. The statement "Certified under L-53-b" shall constitute a certification to the seller and to the War Production Board of the correctness of all information included in the telegram and shall constitute a certification of all facts specified in items (VI), (VII) and (VIII) of the certificate prescribed in paragraph (c) (1) (i). In such case, a copy of the outgoing telegram shall be retained by the person placing the order and such copy shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7.

(iii) In the case of a purchase order placed by telephone, the purchaser shall state to the domestic dealer or distributor, at the time of placing the order, the substance of the certification set forth in paragraph (c) (1) (i), provided, however, in such case, that the person making the statement is an official duly authorized to make such certification, and the person making the statement furnishes to the domestic dealer or distributor within 15 days after placing the purchase order, written confirmation of such order, bearing a certification substantially in the form prescribed in paragraph (c) (1) (i). In case of failure to receive written certification within such 15 day period, the domestic dealer or distributor shall not accept any other order from, or deliver any additional repair parts to, the purchaser until such written certification is furnished.

(2) No domestic dealer or distributor of repair parts shall sell or deliver pursuant to paragraph (c) (1):

(i) A quantity of repair parts to any person in excess of such person's certified minimum requirements.

(ii) Any repair parts to any person whose certificate such domestic dealer or distributor knows or has reason to believe is false.

(3) Notwithstanding the provisions of paragraphs (c) (1) and (c) (2) of this order, a domestic dealer or distributor may sell and deliver repair parts to a purchaser for use on a foreign base under circumstances where the distances involved, the time element, or the lack of shipping facilities make it impracticable to furnish a certificate of minimum requirements, provided such domestic dealer or distributor receives from such purchaser Form WPB-1319 (or Form PD-556) approved by the War Production Board. In order to receive such approval a purchaser shall file Form WPB-1319 (or Form PD-556), in quadruplicate, with the War Production Board, Washington 25, D. C., Ref.: L-53-b.

(4) Notwithstanding the provisions of paragraph (c) (2) of this order, a domestic dealer or distributor may sell or deliver fuel filters and oil filters in sufficient quantity to permit 500 hours operation if he has received from the purchaser a certificate in accordance with paragraph (c) (1) hereof even though subdivisions (VII) and (VIII) of such certificate are not completed.

(5) Notwithstanding the provisions of paragraphs (c) (1) and (c) (2) of this order, a domestic dealer or distributor may sell and deliver repair parts to a purchaser for reconditioning and salvaging worn or damaged parts or sub-assemblies which have been replaced on a particular tractor by other parts or sub-assemblies, provided such domestic dealer or distributor receives from such purchaser Form WPB-1319 (or Form PD-556) approved by the War Production Board. In order to receive such approval, a purchaser shall file Form WPB-1319 (or Form PD-556) in quadruplicate with the regional or any district office of the War Production Board in the region in which such parts or sub-assemblies are to be reconditioned and salvaged.

(d) *Procedure for domestic dealer or distributor in placing orders for critical repair parts.* (1) A domestic dealer or distributor in placing a purchase order with a producer for repair parts for which he has received customers' orders that he is unable to fill out of stock may, if he wishes such purchase order to be entitled to the treatment by the producer required in paragraph (e) of this order, state on the purchase order that the repair parts are for one of the following purposes: (i) War projects as defined in paragraph (a) (8); (ii) foreign bases as defined in paragraph (a) (11); (iii) essential civilian operations (which include only certain mining, logging, agricultural, petroleum and natural gas operations) as defined in paragraph (a) (9); (iv) export; or (v) miscellaneous use. Such statement by the domestic

dealer or distributor shall be based on the specific job description shown by item (IV) of the certificate of minimum requirements of customers for whom the repair parts are being ordered or by Form WPB-1319 (or Form PD-556) in the case of orders for customers who have obtained authorization to purchase on Form WPB-1319 (or Form PD-556). The term "miscellaneous use" as used in this paragraph (d) (1) shall be construed to identify any purchase order to be filled out of the category of sales described in subdivision (v) of paragraph (e) (1). A domestic dealer or distributor shall not include, in a single purchase order placed with a producer, orders for repair parts to be filled out of more than one of the categories of sales described in paragraph (e) (1). Repair parts received from a producer by such domestic dealer or distributor, pursuant to each such purchase order, shall be delivered to the customers for whom they were ordered in the sequence in which the customers' orders were received by such domestic dealer or distributor or as otherwise directed by the producer from whom the repair parts were received. Nothing in the foregoing shall be construed to permit a domestic dealer or distributor to place the statements specified above on any order for repair parts placed with a producer for the purpose of building inventory stock.

(e) *Procedure when inventory of producer is insufficient to fill orders.* (1) Whenever unfilled orders in the hands of a producer calling for immediate delivery of any repair part shall exceed his inventory of such repair part, he shall, so long as such condition exists, make no sale (except to military agencies and for export pursuant to paragraph (b) (2) of this order) on any purchase order not containing the statements referred to in paragraph (d) (1) of this order and shall apportion his sales of such repair part as follows:

(i) Sales directly to military agencies: Not more during any month than 40 percent of his total sales of such repair part during that month.

(ii) Sales to domestic dealers and distributors for delivery to persons engaged on war projects and on foreign bases (as indicated by the purchase order of the dealer or distributor) and sales to persons engaged on foreign bases: Not more during any month than 20 percent of his total sales of such repair part during that month.

(iii) Sales to domestic dealers and distributors for delivery to persons engaged in essential civilian operations (as indicated by the purchase order of the dealer or distributor): Not more during any month than 20 percent of his total sales of such repair part during that month.

(iv) Sales for export (except to military agencies and to, or for delivery to, persons operating on foreign bases): Not more during any month than 15 percent of his total sales of such repair part during that month.

(v) Sales to persons or for purposes other than those specified in subdivisions (i) through (iv) of this paragraph (e):

FEDERAL REGISTER, Tuesday, March 7, 1944

The remainder of his total sales during the month.

(2) (i) If at any time a producer has filled all orders that he has received in one or more of the categories of sales specified in subdivisions (ii), (iii), (iv) or (v) of paragraph (e) (1), he may fill, out of the sales quota allotted to such category or categories, purchase orders in any other of the categories of sales described in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1).

(ii) If at any time a producer has filled all orders that he has received in all of the categories of sales specified in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1), he may fill, out of the sales quota allotted to any of those categories, purchase orders in the category of sales described in subdivision (i) of paragraph (e) (1).

(iii) If at any time a producer has filled all orders that he has received in the category of sales specified in subdivision (i) of paragraph (e) (1), he may fill, out of the sales quota allotted to that category, orders in any of the categories of sales described in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1).

(3) Each producer shall fill purchase orders within each of the categories of sales specified in subdivisions (ii), (iii), (iv) and (v) of paragraph (e) (1) above in the order in which they were received by him.

(4) No producer shall fill any purchase order for a repair part which does not contain the statements specified in paragraph (d) (1) of this order so long as he has on hand unfilled orders for that repair part which do contain such statements.

(f) *Filling orders upon specific direction of the War Production Board.* Notwithstanding the provisions of paragraphs (d) and (e) of this order, a producer or a domestic dealer or distributor shall, upon the specific direction of the War Production Board make delivery of any repair part to fill any order specified in such direction, provided that nothing in this paragraph (f) shall authorize the War Production Board to reduce a producer's sales of any repair part to the military agencies, during any month, below 40 percent of such producer's total sales of such repair part during that month.

(g) *Applicability of priorities regulations.* (1) The provisions of § 944.2 through and including § 944.9 of Priorities Regulation No. 1, as amended, shall not be applicable to any purchase order for track-laying tractor repair parts placed with a producer or domestic or export dealer or distributor.

(2) Except as provided in paragraph (g) (1) hereof, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, purchase orders and certificates of minimum requirements

pursuant to which they have sold repair parts.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Reports.* Any person affected by this order shall file with the War Production Board such reports and questionnaires as said Board shall from time to time require, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942. (The uses of Form WPB-1319 or Form PD-556 and the certificate of minimum requirements in this order have been approved by the Bureau of the Budget.)

(k) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Communications.* All reports to be filed, appeals and other communications concerning this order shall be addressed to War Production Board, Construction Machinery Division, Washington 25, D. C., Ref.: L-53-b, except as otherwise specifically provided in paragraph (c) (5) of this order.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3210; Filed, March 6, 1944;
11:14 a. m.]

PART 1209—HAND TRUCKS AND OTHER HANDLING EQUIPMENT

[General Limitation Order L-111,
Interpretation 1]

The following interpretation is issued with respect to General Limitation Order L-111.

Questions have arisen as to whether the term "hand truck", as defined in paragraph (a) (3), includes equipment of the following kinds:

So-called "carriers" of the types furnished for the use of customers in self-service grocery stores for carrying small quantities of groceries to the cashier's desk; equipment of similar design used in offices for moving light wire baskets of correspondence and the like about the office; and canvas covered baskets or hampers used for moving linens, trash, and other very light materials. Items of these kinds of equipment consist of a very light frame work mounted on small wheels or casters.

Equipment of these kinds is not included in the definition of "hand truck", and is not covered by Order L-111.

It is to be noted, however, that hand trucks of heavier construction, such as those used by the employees in retail stores for moving cases or boxes of merchandise about the store in restocking the shelves or for other purposes, are covered by the order along with other trucks of still heavier construction.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3214; Filed, March 6, 1944;
11:14 a. m.]

PART 3270—CONTAINERS¹

[Conservation Order M-290, as Amended
Mar. 6, 1944]

CONTAINERBOARD

Section 3270.1¹ Conservation Order M-290 is amended to read as follows:

§ 3270.1 Conservation Order M-290—
(a) *Definitions.* For the purpose of this order:

(1) "Mill operator" means any person who operates a congregation of pulp preparation, roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(2) "Containerboard" means the types and grades of paperboard classified under caption No. 211000 through 219000 in Form WPB-514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product.

(3) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(4) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(5) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(6) "Sheet supplier" means any container-manufacturer who supplies corrugated or solid fibre sheets to sheet-plants, whether owned by him or not.

Restrictions on Delivery and Receipt of Containerboard

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Sheet plants and cleated box manufacturers who have been authorized to accept delivery of containerboard may place orders for corrugated or solid fibre sheets with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may obtain the amount of containerboard

¹ Formerly Part 3202. § 3202.1.

which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the following form:

Authorized under Order M-290. Date of authorization _____, authorization number _____.

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(e) *Authorizations.* (1) Authorizations for the purchase of containerboard in each calendar quarter will generally be issued by the War Production Board prior to the beginning of such quarter, but may be issued at any time. They will normally be issued on Form WPB 2492 which is to be filed by the prospective purchaser with the War Production Board as explained in paragraph (1) below. However, they may be issued by telegram or letter.

(2) Authorizations for the purchase of containerboard may specify the supplier with whom all or part of the authorized orders may be placed and the date as of which said orders are to be shipped or delivered.

Exceptions for Small Deliveries

(f) *Purchasers.* A person who purchases less than 2½ tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2½ tons.

Any person may purchase containerboard in lots of less than fifty pounds without the authorization of the War Production Board and without filing the foregoing certificate.

(g) *Suppliers.* Any supplier of containerboard may sell it to a person purchasing in accordance with the preceding paragraph (f) regardless of the provisions of paragraph (d) of this order.

Directions

(h) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any mill operator's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M-93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any mill operator's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (h) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (h) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no mill operator or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

Restrictions on Use of Authorized Containerboard

(i) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e) or (h) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(j) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

Ratings

(k) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no person shall give any effect to it in filling an order.

Applications and Reports

(l) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar quarter shall file application on Form WPB-2492 in the manner and at the time stated in the instructions on that Form.

(m) *Reports by manufacturers of V-boxes.* In addition to the report required by paragraph (l) above, each manufacturer of V-boxes shall, on or before the 10th of March, June, September and December in each year, report to the War Production Board on Form WPB-2492—Supplement No. 1, in accordance with the instructions on that Form.

(n) *Budget approval.* The reporting requirements set forth in paragraphs (l) and (m) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous

(p) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (h).

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(r) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

FEDERAL REGISTER, Tuesday, March 7, 1944

(s) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3217; Filed, March 6, 1944;
11:15 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[Limitation Order L-99 as Amended Mar. 6,
1944]

COTTON TEXTILE PRODUCTION

§ 3290.46 Limitation Order L-99—
(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Operations of spindles and looms producing cotton textiles.* Except as otherwise specifically directed in writing by the War Production Board, no person shall operate spindles or looms producing cotton textiles of any kind, except in accordance with the following requirements: (column references apply only within each of the number groups in Column I of the schedules of this order).

(1) The percentages, as stated in Column III, of the number of spindles or looms operated on or assigned to the cotton textiles listed in Column II, at the time or times specified in the heading of Column II, may produce only the cotton textiles specified in Column IV.

(2) The restrictions of paragraph (b)(1) shall be effective on the dates specified in Column V.

(c) *Exceptions.* (1) The restrictions of paragraph (b) shall not prohibit the manufacture of any construction in any group of lower pick than the lowest pick specified in Column IV as to such group, unless the War Production Board hereafter specifically so directs in writing. Any person affected by this paragraph (c) (1) shall immediately report such fact in writing to the War Production Board.

(2) [Deleted Dec. 24, 1943]

(d) *Further restrictions.* No producer or converter of cotton textiles shall produce, convert or deliver cotton textiles and no person shall accept delivery of cotton textiles from a producer or converter, contrary to any specific direction which may be issued from time to time by the War Production Board.

(e) [Deleted Dec. 24, 1943]

(f) *Reports and records.* All persons operating spindles or looms for the production of cotton textiles shall file with the War Production Board quarterly production reports on Form WPB 658-A, B, C, D and E. All persons affected by this order shall keep and preserve for a period of not less than two years, accurate and complete records concerning inventories, production and sales. The

reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprison-

ment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref., L-99.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended Mar. 6, 1944.

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below in the period from January 2, 1943, to March 6, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Constructions to be produced by looms specified in column II	Effective dates
1.....	Class A sheetings (constructions designated in lines 12 through 15 of Form WPB 658-B (12-31-42)).	100 percent.....	36" 48 x 44 2.85 yd 40" 48 x 44 2.85 yd 40" 48 x 44 2.50 yd Pro rata widths of like count and weight. 40" 48 x 40 3.25 yd 40" 48 x 40 3.75 yd 37" 48 x 44 4.00 yd 40" 44 x 40 4.25 yd 31" 48 x 44 5.00 yd	Apr. 20, 1943
2.....	Class B sheetings (constructions designated in lines 16 through 21 of Form WPB 658-B (12-31-42)).	100 percent.....	40" 48 x 40 3.25 yd 40" 48 x 40 3.75 yd 37" 48 x 44 4.00 yd 40" 44 x 40 4.25 yd 31" 48 x 44 5.00 yd Pro rata widths of like count and weight.	Apr. 20, 1943
3.....	Class C sheetings (constructions designated in lines 22 through 33 of Form WPB 658-B (12-31-42)).	100 percent.....	36" 64 x 64 3.50 yd 36" 60 x 52 or 56 x 56 4.00 yd 36" 48 x 40 or 44 x 40 5.50 yd 36" 44 x 40 or 40 x 40 6.05 to 6.15 yd 40" 64 x 64 3.15 yd 40" 60 x 52 or 56 x 56 3.00 yd 40" 44 x 40 5.50 yd 40" 56 x 48 4.30 yd 40" 36 x 40 5.55 yd Pro rata widths of like count and weight. Bandoleer and Navy Matress Cover Sheetings in lowest package consistent with specifications.	Apr. 20, 1943
4a ¹	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	12½ per cent.....	39" 80 x 80 4.00 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4b ¹	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	12½ percent.....	39" 68 x 64 4.85 yd. Pro rata widths of like count and weight.	Apr. 2, 1944
4c.....	39" 80 x 80 4.00 yd. print cloth (constructions designated in line 75, and pro rata widths designated in lines 73, 79 and 80 of WPB 658-B (12-31-42)).	25 percent.....	38½" 64 x 56 5.50 yd Pro rata widths of like count and weight.	June 4, 1943
5.....	39" 68 x 72 4.75 yd. print cloth (constructions designated in line 76, and pro rata widths designated in lines 73, 79 and 80 of Form WPB-658-B (12-31-42)).	100 percent.....	39" 68 x 64 4.85 yd Pro rata widths of like count and weight.	Apr. 20, 1943
6.....	38½" 64 x 60 5.35 yd. print cloth (constructions designated in line 77, and pro rata widths designated in lines 72, 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent.....	38½" 64 x 56 5.50 yd Pro rata widths of like count and weight.	Apr. 20, 1943
7.....	38½" 60 x 48 6.25 yd. print cloth (constructions designated in line 78, and pro rata widths designated in lines 73, 79 and 80 of Form WPB 658-B (12-31-42)).	100 percent.....	38½" 60 x 48 6.25 yd Pro rata widths of like count and weight.	May 1, 1943

¹ Added Mar. 6, 1944.

² Amended Mar. 6, 1944, by reducing the Column III percentage from 25 to 12½, and by changing date in column V to Apr. 2, 1944.

SCHEDULE B

Col. I Group	Column II	Column III	Column IV	Column V
	Looms producing or assigned to produce the constructions listed below in the period from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV	Constructions to be produced by looms specified in column II	Effective dates
8.....	Osnaburgs (constructions designated in lines 1 through 7 of Form WPB 658-B (3-25-43)).	100 percent.....	40" 38 or 40 sley, 24 to 26 pick, 2.11 yd 36" 38 or 40 sley, 24 to 26 pick, 2.35 yd 38" 32 x 26 2.95 yd 34" 24 to 26 sley, 16 to 20 pick, 3.30 yd 40" 28 or 32 sley, 24 to 26 pick, 3.65 yd 30" 38 or 40 sley, 28 pick, 2.35 yd. Pro rata widths of like count and weight.	Aug. 1, 1943
9.....	Window shade cloths (constructions designated in line 71 of Form WPB 658-B (3-25-43)).	100 percent.....	Any width fabric of window shade quality woven from print cloth yarns in the following sley and pick per inch: 44 x 40, 50 x 44, 56 x 52, 64 x 56, 72 x 68, 80 x 72. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
10.....	Pajama checks (constructions of which are designated in line 81 of Form WPB 658-B (3-25-43)).	100 percent.....	36½" 80 x 80 4.27 yd 39½" 80 x 80 4.00 yd. Pro rata widths of like count and weight. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13, 14 and 15 or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
11.....				
12.....				
13.....	Carded broadcloths (constructions designated in lines 85 through 88 of Form WPB 658-B (3-25-43)).	100 percent.....	Any width broadcloth woven from print cloth yarns counting from 80 to 136 ends per inch and not in excess of 60 picks per inch. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
14.....	Carded poplins (constructions designated in line 89 of Form WPB 658-B (3-25-43)).	100 percent.....	Any width poplin woven with print cloth warp yarns in the following sley and pick per inch: 90 x 44, 100 x 44, 112 x 46. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13 and 15 or any other construction specified in column IV of Groups 22 and 23.	June 15, 1943
15.....	Gauze diaper cloth.....	100 percent.....	Gauze diaper cloth.....	May 1, 1943
16.....	All other fabrics woven from print cloth yarns not specified in column II of any other group in Schedule A, B or C (constructions designated in lines 73, 79, 80, 81 and 90 of Form WPB 658-B (3-25-43)).	100 percent.....	Any print cloth yarn fabric or fabrics specified in column II of this group (16), provided that the weighted average pick of the yardage in the constructions produced after the effective date specified in column V is reduced to 91 percent of the weighted average pick of the yardage in the constructions specified in column II produced during the quarterly period ending Apr. 3, 1943. Or any other construction specified in column IV of groups 4b, 4c, 5, 6, 7, 9, 10, 12, 13, 14 and 15, or any other construction specified in column IV of Groups 22 and 23.	Aug. 1, 1943
17.....	Birdseye diaper cloth (constructions designated in line 70 of Form WPB 658-B (3-25-43)).	100 percent.....	Birdseye diaper cloth.....	May 1, 1943
18.....	Sheetings, 42" and wider, Classes A and B, except bed sheetings (constructions designated in lines 35 and 36 of Form WPB 658-B (3-25-43)).	100 percent.....	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom. Any suitable construction not less than 72" wide nor of more than 54 picks per inch manufactured for laundry use.	Aug. 1, 1943

FEDERAL REGISTER, Tuesday, March 7, 1944

SCHEDULE B—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below from April 3, 1943, to May 1, 1943, inclusive, and which may produce only the constructions specified in column IV	Percentages to be applied to the daily average number of looms producing or assigned to produce the constructions specified in column II in the period therein specified. Such percentage of looms shall produce constructions specified in column IV.	Constructions to be produced by looms specified in column II	Effective dates
19a.....	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	50 percent.....	44" 48 x 48 4.00 yd 52" 48 x 48 3.85 yd 54" 40 sley, 36 to 38 pick, 5.25 yd 60" 44 x 40 4.46 yd 43" 36 x 40 5.80 yd Any narrow Class C sheeting heretofore designated in this Column IV, Group 3. Pro rata widths of like count and weight.	Aug. 1, 1943
19b.....	Sheetings, 42" and wider, except bed sheetings (constructions designated in lines 34, 37, 38, 39 and 40 of Form WPB 658-B (3-25-43)).	50 percent.....	Any Class A or Class B sheeting designated in Groups 1 and 2 above, in this Column IV, woven in pro rata widths most suitable for textile bag use consistent with width of loom.	Aug. 1, 1943
20.....	Twills, drills, jeans, sateens and gabardines (constructions designated in lines 45 through 69 of Form WPB 658-B (3-25-43)).	100 percent.....	<i>Drills:</i> 37" 64 x 56 1.50 yd 30" 72 sley, not over 48 pick, 2.35 yd to 2.85 yd 30" 76 sley, not over 54 pick, 2.25 yd to 2.85 yd Pro rata widths of like count and weight. Any drill, irrespective of width or weight, having not more than 68 sley and not more than 40 pick. <i>Jeans:</i> 35" 96 x 54 2.85 yd 32" 96 x 64 3.28 yd 31" 84 to 86 sley, 56 pick, 3.63 yd to 3.87 yd Pro rata widths of like count and weight. <i>Twills:</i> 39" 68 x 70 2.58 yd or 3.00 yd Silesia twill in lowest pickle consistent with U. S. Army Quartermaster Specification 618-C. 37" 84 to 88 sley, 40 pick, 1.75 yd to 2.85 yd 37" 76 to 88 sley, 38 to 46 pick, 1.45 yd to 2.15 yd 30" 88 sley, 50 to 52 pick, 1.90 yd to 2.45 yd 32" 98 x 44 2.00 yd 34½" 98 x 54 2.00 yd to meet U. S. Navy Specification 27-T-25A. 31" approx. 88 sley, 56 pick, 1.60 to 1.65 yd (manufactured to meet specifications of U. S. Army or Navy for tents). 8.2 oz. Type IV carded uniform twill in lowest pickle consistent with Federal specifications. 8.5 oz. herringbone in lowest pickle consistent with Federal specifications for U. S. Army or Navy. 9 oz. herringbone twill in lowest pickle consistent with specifications for U. S. Marine Corps. 54" 76 x 52 1.14 yd 54" 84 x 64 1.99 yd Pro rata widths of like count and weight. <i>Sateens:</i> 30½" 112 to 118 sley, 64 pick, 2.25 yd 34" 108 x 56 3.00 yd 53" 96 x 60 1.12 yd 53" 96 x 64 1.32 yd 54" 96 x 56 1.05 yd 54" 96 x 56 1.55 yd Pro rata widths of like count and weight. <i>Gabardines:</i> Not over 64 picks per inch.	June 15, 1943

SCHEDULE C

NOTE: Column V amended Mar. 6, 1944.

Col. I	Column II	Column III	Column IV	Column V
Group	Looms producing or assigned to produce the constructions listed below on July 3, 1943, and which may produce only the constructions specified in column IV	Percentages to be applied to the number of looms producing or assigned to produce the constructions specified in column II. Such percentage of looms shall produce constructions specified in column IV	Construction to be produced by looms specified in column II	Effective dates
21.....	Plain print cloth of 80 sley and higher (constructions designated in lines 77, 78, 82 and 83 of Form WPB-658B (9-17-43)).	100 percent.....	Plain print cloth of 80 sley and higher.	Dec. 24, 1943
22.....	38½" 44 x 36 8.60 yd bandage cloth and pro rata widths (constructions designated in line 87 of Form WPB-658B (9-17-43)).	100 percent.....	38½" 44 x 36 8.60 yd pro rata widths of like count and weight.	July 3, 1943
23.....	Bandage cloth other than 38½" 44 x 36 8.60 yd (constructions designated in line 88 Form WPB-658B (9-17-43)).	100 percent.....	38½" 44 x 36 8.60 yd..... 38½" 40 x 32 9.80 yd 38½" 48 x 44 7.46 yd Pro rata widths o' like count and weight.	July 3, 1943
24.....	Tobacco and cheesecloth (constructions designated in lines 89 and 91 of Form WPB-658B (9-17-43)).	100 percent.....	Any width fabric woven from print cloth yarns, in the following sley and pick per inch: 8 x 8, 14 x 10, 17 x 14, 18 x 12, 18 x 14, 20 x 12, 20 x 16, 24 x 20, 28 x 24, 32 x 28, 40 x 28. Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick.	Dec. 24, 1943
25.....	Tobacco and cheesecloth, all widths, 17 to 18 sley, 12 to 14 pick (constructions designated in line 90 of Form WPB-658B (9-17-43)).	100 percent.....		Dec. 24, 1943

SCHEDULE D

NOTE: Column II heading and Column V amended Mar. 6, 1944.

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 3, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV.	Descriptions and counts to be produced by spindles specified in column II	Effective dates
1.....	Carded single machine knitting yarn (items designated in lines 16 through 18 of Form WPB 658-E (9-17-43)).	100 percent.....	Carded single machine knitting yarn.	Dec. 24, 1943
2.....	Carded single yarn, other than machine knitting, 20's and coarser (items designated in lines 1 through 3, 22, 23, 27 and 28 of Form WPB 658-E (9-17-43)).	100 percent.....	Carded single yarn other than machine knitting, 20's and coarser.	Dec. 24, 1943
3.....	Carded single yarn, other than machine knitting, finer than 20's (items designated in lines 4, 5, 6, 27 and 29 of Form WPB 658-E (9-17-43)).	100 percent.....	Carded single yarn, other than machine knitting, finer than 20's.	Dec. 24, 1943
4.....	Carded ply yarn of any description or count (items designated in lines 6 through 13, 19, 20, 25, 26 and 27 through 29 of Form WPB 658-E (9-17-43)).	100 percent.....	Carded ply yarns of any description or count.	Dec. 24, 1943
5.....	Combed single or ply machine knitting yarn, 70's and coarser (items designated in lines 51 through 56 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed single or ply machine knitting yarn 70's and coarser.	Dec. 24, 1943
6.....	Combed single or ply machine knitting yarns, finer than 70's (items designated in lines 57 through 60 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed single or ply machine knitting yarns, finer than 70's.	Dec. 24, 1943
7.....	Combed single yarn other than machine knitting, 40's and coarser (items designated in lines 30 through 32, and 62 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed single yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
8.....	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's. (items designated in lines 33 through 35 and 62 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed single yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943

SCHEDULE D—Continued

Col. I	Column II	Column III	Column IV	Column V
Group	Spinning and twister spindles producing or assigned to produce yarn and twine of the descriptions and counts listed below on July 3, 1943, and which may produce only yarn and twine of the descriptions and counts specified in column IV	Percentages to be applied to the number of spindles producing or assigned to produce yarn and twine of the descriptions and counts specified in column II. Such percentage of spindles shall produce yarn and twine of the descriptions and counts specified in column IV	Descriptions and counts to be produced by spindles specified in column II	Effective dates
9.....	Combed single yarn other than machine knitting, 71's and finer (items designated in lines 36 through 39 and 62 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed single yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
10.....	Combed ply yarn other than machine knitting, 40's and coarser (items designated in lines 40 through 42, 50, 61 and 62 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed ply yarn other than machine knitting, 40's and coarser.	Dec. 24, 1943
11.....	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's (items designated in lines 43 through 45, 50, 61 and 62 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed ply yarn other than machine knitting, finer than 40's, up to, but not including, 71's.	Dec. 24, 1943
12.....	Combed ply yarn other than machine knitting, 71's and finer (items designated in lines 46 through 50, 61 and 62 of Form WPB 658-E (9-17-43)).	100 percent.....	Combed ply yarn other than machine knitting, 71's and finer.	Dec. 24, 1943
13.....	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.) items designated in lines 74 and 75 of Form WPB 658-E (9-17-43)).	100 percent.....	Seine twine and cable cords (including fishnet twine, trot line, staging twine, etc.).	Dec. 24, 1943
14.....	Twines other than those specified in Group 13 (items designated in lines 76 through 78 of WPB 658-E (9-17-43)).	100 percent.....	Twines other than those specified in Group 13.	Dec. 24, 1943

[F. R. Doc. 44-3211; Filed, March 6, 1944; 11:14 a. m.]

PART 3290—TEXTILE CLOTHING AND LEATHER

[Conservation Order M-51, as Amended Mar. 6, 1944]

PIGS' AND HOGS' BRISTLES

§ 3290.161 Conservation Order M-51—

(a) *Definitions.* In this order:

(1) "Bristles" means pigs' or hogs' bristles, including riflings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Dealer" means a person who purchases and sells bristles without changing their condition.

(3) "Dresser" means a person who grades, sorts, dresses, reclaims, or in any wise processes bristles.

Restrictions

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or U. S. Commercial Company shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-63, as amended from time to time.(c) *Purchase and sale.* Unless otherwise authorized in writing by the War Production Board:(1) *Undressed domestic bristles.* No person other than an approved dresser shall buy or accept undressed domestic bristles from a slaughter house. "Approved dresser" means a dresser so desig-

nated and authorized in writing by the War Production Board to process domestic bristles. This designation and authorization, which may be conditioned and limited by the War Production Board at any time, will be made when it approves of a dresser as capable of processing domestic bristles according to specifications fixed by the War Production Board. Applications may be made by a dresser at any time by submitting samples of his product, processed according to such specifications, accompanied by a letter describing his experience and equipment.

(2) *Dressed domestic bristles.* No person other than Defense Supplies Corporation shall buy or accept dressed domestic bristles.

(3) *Dressed imported bristles.* No person other than a dealer or dresser shall sell or deliver dressed imported bristles to a manufacturer of products containing bristles. No person other than a dealer or dresser or the United States agencies referred to in paragraph (b) above shall buy or accept dressed imported bristles, except

(i) *Purchase for permitted use.* To manufacture brushes as permitted in subparagraphs (1) and (2) of paragraph (d) below.

(ii) *Purchase for brush inventory.* As may be necessary to enable him to manufacture for inventory brushes as permitted by this order, but not more than the quantity of brushes manufactured by him according to this order in the calendar month preceding that in

which the order for such bristles is placed.

(iii) *Bristle inventory limit.* However, his inventory of dressed imported bristles (as to both subdivisions (i) and (ii) above) may not to the best of his knowledge and belief exceed the greater of:

(a) A practicable minimum working inventory, or

(b) "One-quarter of the quantity, by weight, of dressed imported bristles consumed by him in 1943 in the manufacture of brushes according to this order as effective during 1943.

[Note: In 1943, this order, as issued November 30, 1942, July 7, 1943, and September 28, 1943, was in effect.]

(4) *Seller of bristles or bristle products.* No person shall sell or deliver bristles to a person prohibited by this paragraph (c) from buying or accepting them, or bristles or products containing bristles contrary to the provisions of this order or knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

(5) *Buyer of bristles or bristle products.* No person shall buy accept or use bristles or products containing bristles, contrary to the provisions of this order or knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

Permitted Use of Bristles

(d) (1) *Domestic and imported bristles.* Unless other uses¹ are specifically permitted in writing by the War Production Board, and regardless of the assignment of a preference rating, no person shall use domestic or imported bristles in the manufacture of any product, except as follows:

(i) *Dental plate brushes.* In 1944, 3 inch bristles may be used in the manufacture of dental plate brushes requiring not more than one pound of bristles for 120 brushes, in an amount not exceeding the manufacturer's use in 1942 of bristles, nylon or a combination of both for dental plate brushes.

(ii) *Shaving brushes.* In 1944, bristles 2 to 3½ inches long, inclusive, other than Chinese, may be used in the manufacture of shaving or lather brushes. The manufacturer may not use more than one-quarter of the quantity, by weight, of the bristles consumed by him in 1942 in the production of shaving or lather brushes.

(iii) *Military orders.* Upon specific orders for any product for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. Dental plate brushes and shaving or lather brushes manufactured upon such orders shall not

¹ Applications will be considered for permission to use India bristles shorter than 3¼" in the manufacture of miscellaneous brushes, and, in areas where labor shortages are known not to exist, to use additional quantities of bristles of other types in the manufacture of brushes.

be charged against the quantity restrictions in subdivisions (i) and (ii) above.

(iv) *Export orders.* For export of brushes from the 48 states, the District of Columbia or the Territory of Alaska, upon specific orders accompanied by individual export licenses or release certificates issued by the Foreign Economic Administration or upon specific orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) *Brushes for construction, maintenance, repair or operating supplies.* Bristles 2 to $3\frac{1}{8}$ inches long, inclusive, may be used in the manufacture of brushes, upon specific orders.

No person shall order or accept such brushes, except for necessary use in the construction, maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II annexed to CMP Regulation 5 or 5A or listed on List A of this order, or for necessary operating supplies for any such purpose, or to fill specific orders therefor. However, reclaimed bristles of that length (such as comb stocks or paint stumps) may be used in the manufacture of spotting, cleaners', dyers', surgeons' hand or hair brushes.

(vi) *Special brushes for construction, maintenance, repair or operating supplies.* Bristles longer than $3\frac{1}{8}$ inches may be used in the manufacture of painters' brushes (such as brushes for the application of paint, lacquer, varnish, shellac and other protective coatings), paper hangers' paste brushes and billboard brushes, upon specific orders.

No person shall order or accept such brushes, except for necessary use in the construction, maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II annexed to CMP Regulation 5 or 5A or listed on List A of this order, or for necessary operating supplies for any such purpose, or to fill specific orders therefor.

Bristles of that length may be used only in the manufacture of painters', paperhangers' paste and billboard brushes, even if manufactured upon orders under subdivisions (iv), (viii) or (ix) of this paragraph (1).

(vii) *Limitation on orders.* No person shall order any brushes, referred to in subdivisions (v) and (vi) of this subparagraph (1), for delivery or accept them, during any calendar quarter, in a quantity exceeding his requirements for such maintenance, repair and operating supplies during any such quarter.

(viii) *Distributors' orders.* For the manufacture of painters', paperhangers' paste and billboard brushes, whether or not made of bristles longer than $3\frac{1}{8}$ inches and surgeons' hand brushes, for sale to persons authorized by the War Production Board to purchase them, upon specific orders endorsed with a certification substantially as follows:

The undersigned purchaser hereby represents to the brush manufacturer and to the

War Production Board that he is authorized by the War Production Board to purchase the brushes shown on this purchase order, and that he is entitled to apply the preference ratings indicated opposite these brushes, and that such application is in accordance with Priorities Regulation 8, as amended, with the terms of which the undersigned is familiar.

Form WPB-547
Certificate No. ----

(Name of wholesaler, distributor or retailer)

(Address)

(Signature and title of authorized official or representative)

(Date)

Applications for that authorization may be made on Form WPB-547 (formerly PD-IX) by persons who propose to purchase them directly from the manufacturer and to resell them without changing their form. These brushes may be used for any purpose.

(ix) *Manufacturers as distributors of their own products.* For the manufacture of painters', paperhangers' paste and billboard brushes, whether or not made of bristles longer than $3\frac{1}{8}$ inches and surgeons' hand brushes, for sale by the manufacturer directly to the consumer, as authorized by the War Production Board after application by the manufacturer on Form WPB-547 (formerly PD-IX). In granting such authorization, the War Production Board will give consideration to the extent to which the manufacturer customarily sold directly to consumers brushes manufactured by him. These brushes may be used for any purpose.

(2) *Manufacture exceeding specific orders and disposal of excess.* The requirements in the next preceding subparagraph (1) that products be manufactured only to fill specific orders, shall not prevent the manufacture of minimum commercially practicable quantities of products exceeding specific orders.

Any excess manufactured in filling orders under subdivision (iii) of subparagraph (1) shall be sold only upon orders of that kind, and any excess manufactured from bristles longer than $3\frac{1}{8}$ inches shall be sold only upon orders of the kind referred to in subdivision (vi) of that subparagraph and any excess manufactured in filling orders under subdivision (iv) or (v) may be sold only for a use permitted in subparagraph (1).

(3) *Existing stocks of brushes.* The restrictions in this order shall not apply to the manufacturer, jobber or retailer, as the case may be, with respect to brushes in his possession prior to July 30, 1943.

Conservation

(e) *Conservation.* Unless otherwise authorized in writing by the War Production Board, no person shall use in the manufacture of any product a mixture of more than 55% of pigs' or hogs' bristles or a combination of both.

However this restriction shall not apply to:

(1) The manufacture of dental plate brushes as described in paragraph (d) (1) (i) above.

(2) The manufacture of any product containing bristles none of which are longer than $2\frac{1}{2}$ inches.

(3) The manufacture of shaving or lather brushes for the United States Army, Navy, Maritime Commission or War Shipping Administration.

(4) The manufacture of spotting, cleaners', dyers', surgeons' hand and hair brushes out of reclaimed bristles as described in paragraph (d) (1) (v) above.

Equitable Distribution

(f) *Equitable distribution.* It is the policy of the War Production Board that bristles and products containing bristles, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy, every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution, unless necessary to meet war or essential needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

(g) *Reports and communications—* (1) *Imported bristles.* Every owner of imported bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 (formerly Form PD-217), showing his holdings and consumption of imported bristles during the preceding month.

(2) *Domestic bristles.* Every owner of more than ten pounds of domestic bristles shall file with the War Production Board not later than the 10th day of each month, a report on Form WPB-2287 (formerly Form PD-781), showing his holdings and shipments of domestic bristles during the preceding month.

(3) *Reporting.* All reports required to be filed and all communications concerning this order shall unless otherwise directed in writing be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C. Ref.: M-51. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(h) *Appeals.* Any appeal from the provisions of this order shall be made

by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) **Violations.** Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) **Further restrictions.** No person shall sell, deliver, accept or use bristles or products containing bristles contrary to any specific direction which may be issued from time to time by the War Production Board.

(k) **Applicability of regulations.** This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 6th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A added February 14, 1944.
Ferro-alloys (including producers to whom serial numbers have been issued under Order P-68).

Iron Products (including pig iron, pipe, wire, wrought iron and foundry products and also producers to whom serial numbers have been issued under Order P-68). Steel rolling mill and foundry products (including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, tin plate, terne plate, black plate, tubing, rails, track accessories, wheels, tires, axles, wire and wire products, and also producers to whom serial numbers have been issued under Order P-68).

Chemicals and allied products for industrial and military use (including automobile body polish and top dressing; candles; cleaning and polishing preparations for metal, leather, floors and furniture; household dyes; ink and ink eradicators; incense; toiletries and cosmetics, perfumes, powders and creams, manicure preparations, hair dressings, dyes, shampoos and tonics; dentifrices and depilatories).

Distillery machinery (including beverage).

Food and food processing machinery equipment (including food dehydration machinery).

Special industry machinery not elsewhere listed (including tobacco manufacturing machinery and equipment and cosmetics machinery).

Lamp bulbs and tubes (including aircraft).

Agricultural machinery, implements and equipment (including farm and garden hand tools).

Coke and coke oven by-products (including producers to whom a serial number has been issued under Order P-68).

Containers of all types (including fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates).

Glass products not elsewhere listed (including mirrors).

Heating equipment (including electric and also heating system controls and hot water equipment).

Photographic equipment apparatus and materials (including projection apparatus).

Tools (including edge tools, hand tools, mechanics' hand service tools, gauges and machinists' precision measuring tools, files and rasps; and also farm and garden edge and hand tools).

Industrial food manufacturing, processing, packaging, preservation and storage (including drink and alcoholic beverages, and chewing gum, and also restaurants, hotels, retail stores, and farms).

Public utilities: gas, light, power, water and central heating and sanitation (including producers as defined in Utilities Order U-1).

Petroleum and natural gas production, transportation, refining and marketing (including that covered by P-98-b).

Smelting and refining (including producers to whom a serial number has been issued under P-73).

Wire communications industries (including operators as defined in Utilities Orders U-3 and U-4).

[F. R. Doc. 44-3212; Filed, March 6, 1944;
11:14 a. m.]

establishments as re-registered, in such proportion as he chooses.

2. Section 3.5 (c) is added to read as follows:

(c) Each combination of establishments in a single registration is to be treated separately for the purposes of this and any other food rationing order, just as if it were operated by a different person.

This amendment shall become effective March 9, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10178; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3156; Filed, March 4, 1944;
11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,¹ Amdt. 49]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. Section 3.5 (b) is added to read as follows:

(b) An institutional user who has combined his establishments in a single registration, may re-register those establishments when he applies for his March-April 1944 allotments. He may file a separate registration form for each of them with the Board for the place where that establishment is located; or he may combine in one registration those establishments which qualify for the higher allowances of sugar and foods covered by Ration Order No. 16 for baking operations fixed in the supplement and may combine in another registration his other establishments. He shall file with the Board additional OPA Forms R-1307 and R-1307 Supplement giving the information called for by those forms separately for each establishment or combination of establishments separately registered. If he combines some establishments in a single registration, he must attach to the forms a list of those establishments, showing the name and address of each, and, for each establishment which qualifies for the higher baking allowances, the baking information called for by OPA Form R-1307 Supplement. (If the institutional user prepares the baked products at one place, such as a central kitchen, and serves those products at a combination of establishments, the baking information called for by that form may be given for the combination instead of separately for each.) Any remaining excess inventory of the originally combined establishments may be apportioned among the

PART 1340—FUEL

[MPR 121, Amdt. 29]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 121 is amended in the following respects:

1. Section 1340.249 (d) (1) (iv) is amended to read as follows:

(iv) Each producer whose maximum price in effect on November 23, 1943 has been increased under the provisions of this paragraph (d) (1) or former paragraph (d) (4) of this section as in effect prior to January 11, 1944 must report his redetermined maximum price and his method of computation on OPA Form 653-432 set forth below. The completed forms must be filed in duplicate with the Office of Price Administration on or before February 29, 1944 or within 30 days after a producer has redetermined his maximum price, whichever period is longer. Such report must be filed each time a producer redetermines his maximum price pursuant to this paragraph. Copies of these forms may be obtained from the Office of Price Administration or any regional or district office thereof.

2. Section 1340.249 (d) (1) (v) is amended to read as follows:

(v) The maximum prices as redetermined under this paragraph (d) (1) or under former paragraph (d) (4) of this section may be charged and received by the producer immediately after redetermination unless notified to the contrary by the Office of Price Administration: *Provided*, That the maximum price of a producer who fails to report his deter-

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17486; 9 F.R. 401, 455, 492.

mined maximum price in the manner and within the time specified in subparagraph (iv) above shall be the price he had in effect on November 23, 1943. A producer who fails to file such report but nevertheless charges higher prices than those he had in effect on November 23, 1943, shall be subject to the penalties set forth in § 1340.246 of this regulation.

This amendment shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3155; Filed, March 4, 1944;
11:34 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 387,¹ Amdt. 1]

PULPWOOD PRODUCED IN DESIGNATED SOUTHERN STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 387 is amended in the following respect:

In Appendix A (a) (1), the last paragraph entitled "Delivered mill by truck or similar vehicle" is amended to read as follows:

Delivered mill by truck or similar vehicle. When pulpwood is delivered to a consumer by truck or similar vehicle, the maximum price shall be the f. o. b. car price stated above plus or minus the same dollars and cents differential, if any, which the particular mill paid over or under its highest f. o. b. car price in the months of January and February, 1943, for the same type of delivery, except when pulpwood is delivered to a consumer's mill in Mobile, Alabama by truck or similar vehicle, in which case an amount not in excess of \$2.00 per cord may be added to the maximum f. o. b. car price stated above.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3139; Filed, March 3, 1944;
4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,² Amdt. 5 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 8507.

²9 F.R. 173, 908, 1181, 2091.

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 13) which is made a part hereof.³

This amendment shall become effective at 12:01 a. m., March 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3151; Filed, March 4, 1944;
11:32 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,⁴ Amdt. 16 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 12) (OPA Forms R-1313 and 1611) which are made a part hereof.⁵

This amendment shall become effective at 12:01 a. m., March 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3152; Filed, March 4, 1944;
11:33 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,⁴ Amdt. 17 to Rev. Supp. 1]

LARD

The point value of "lard" on the Official Tables of Consumer and Trade Point Values (No. 11) referred to in § 1407.3027 (a) is reduced to zero (0).

This amendment shall become effective 12:01 a. m., March 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251;

³Filed as part of the original document.

⁴8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091.

Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 3d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3140; Filed, March 3, 1944;
4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,⁴ Amdt. 18 to Rev. Supp. 1]

LARD

The point value of "lard" on the Official Tables of Consumer and Trade Point Values (No. 12) referred to in § 1407.3027 (a) is reduced to zero (0).

This amendment shall become effective 12:01 a. m., March 5, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 3d day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3141; Filed, March 3, 1944;
4:42 p. m.]

PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,⁵ Amdt. 2]

DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. Section 3 is amended to read as follows:

Sec. 3. Transactions and products covered—(a) Transactions covered. This regulation covers all sales and purchases out of distribution yard stock of products covered by the regulation within the continental limits of the United States made by lumber distribution yards, whether wholesale or retail.

(b) Products covered. This regulation covers sales out of distribution yard stock of any lumber or lumber products for which "direct-mill" maximum prices are fixed in the following maximum price regulations, as well as any later revisions or amendments:

Southern Pine Lumber—Second RMPR 19,⁶ Douglas First and Other West Coast Lumber—RMPR 26,⁷

Western Pine and Associated Species of Lumber—MPR 94,⁸

⁵8 F.R. 14145.

⁶9 F.R. 1162.

⁷8 F.R. 7570, 9519, 11508, 12315, 12406, 16249.

⁸7 F.R. 10848; 8 F.R. 859, 1138, 4118, 7352, 8009, 8756, 11040, 12136, 12296, 12878, 16199.

FEDERAL REGISTER, Tuesday, March 7, 1944

Red Cedar Shingles—MPR 164.⁵
 Northeastern Softwood Lumber—RMPR 219.⁶
 Northern Softwood Lumber—Second RMPR 222.⁷
 Redwood Lumber and Millwork—MPR 253.⁸
 Sitka Spruce Lumber—MPR 290.⁹
 Western F-d Cedar Lumber—MPR 402.¹⁰
 Tidewater Red Cypress Lumber—MPR 412.¹¹ Tables 2, 4, 6, 7, 8, 11, and 17.
 Northern Hardwood Flooring—MPR 432.¹²
 Oak, Pecan and Miscellaneous Hardwood Flooring—MPR 458.¹³
 Pressure Preservative Treatment of Forest Products and Pressure Treated Forest Products—MPR 491¹⁴ (only as applicable to the species and items covered by the foregoing regulations).

This regulation does not cover sales or purchases of stock mouldings listed in the 1940—8000 Series List published by Shattock-McKay, Chicago, Illinois, plant stakes, car strips, pickets, battens and millwork. These products are subject to the General Maximum Price Regulation.¹⁵

Every yard affected by this regulation should get copies of the mill regulations covering the species it handles, since this regulation builds upon the prices and definitions in the above "direct-mill" regulations.

2. In section 4 the first paragraph is amended to read as follows:

SEC. 4. Maximum prices for wholesale and CPA yards and "wholesale-type" sales by retail yards. The maximum prices for all sales out of the stock of wholesale or CPA distribution yards or "wholesale-type" sales and sales of lower grades of lumber out of the stock of retail yards (except sales of pressure treated lumber) is the sum of the following: (See section 16 for definitions of "sales out of distribution yard stock", "whole-

sale-type sales" and "lower grades of lumber".)

3. Section 5 is deleted and section 6 is redesignated section 5 and paragraph (a) of the new section 5 is amended to read as follows:

(a) **General.** The maximum price on sales out of retail yard stock other than the "wholesale-type" sales, sales of lower grades of lumber and sales of pressure treated lumber is the sum of the following:

4. In the new section 5, the last unlettered paragraph is amended by adding the following sentence:

If the total quantity is 1,000 feet BM or less, the price may be quoted per board or lineal foot, in which event it must be evened out to the nearest quarter of a cent per foot.

5. A new section 6 is added to read as follows:

SEC. 6. Sales of pressure treated lumber out of distribution yard stock. The maximum price for all sales of pressure treated lumber out of distribution yard stock as defined in section 16 is the sum of the following:

(a) The f.o.b. mill price for the green untreated lumber in the mill regulation for the particular species at the time of delivery by the distribution yard; plus

(b) Inbound transportation charges to the distribution yard, figured under the rules in section 7, on the basis of green weight; plus

(c) \$24.50 per MBM in the case of West Coast species, including Douglas Fir, West Coast Hemlock, all species of True Fir, Redwood, Sitka Spruce and Western Red Cedar; or \$20.50 per MBM in the case of all other species; plus

(d) Cost of the preservative computed under the following table:

PRESERVATIVE ADDITIONS PER M'BM
NO. 1 DISTILLATE OIL BY PRESSURE PROCESS

Region	Retentions per cubic foot				
	6 pounds	8 pounds	10 pounds	12 pounds	14 pounds
I—All States East of the Hundredth Meridian.....	\$9.50	\$12.75	\$15.75	\$19.00	\$22.25
II—All other States except Washington, Oregon, and California.....	11.50	15.50	19.50	23.25	27.25
III—Washington, Oregon, and California.....	12.50	16.75	20.75	25.00	29.25

NOTE: Special authorization for additions for distillate oil used in combination with coal tar or petroleum will be granted upon application to the Office of Price Administration, Washington, D. C.

SALT PRESERVATIVES BY PRESSURE PROCESS PER M'BM

	Zinc chloride				Wolman		
	Plain—retention per cubic foot		Chromated—retention per cubic foot		Retention per cubic foot		
	.75 pound	1.0 pound	.75 pound	1.0 pound	.50 pound	.55 pound	.40 pound
All regions.....	\$3.50	\$4.75	\$4.50	\$6.00	\$6.25	\$7.25	\$8.50

⁵ 7 F.R. 4541, 8384, 8948; 8 F.R. 2876, 2992, 4514, 12296, 14762, 15368.
⁶ 8 F.R. 4948, 6620, 9779, 12445, 13498.
⁷ 8 F.R. 14126.
⁸ 7 F.R. 9230, 10848; 8 F.R. 1129, 4136, 4720, 7197, 11470.
⁹ 8 F.R. 19, 2270, 6959.

¹⁰ 8 F.R. 7662.
¹¹ 8 F.R. 8712, 12406.
¹² 8 F.R. 10079, 12180.
¹³ 8 F.R. 15323.
¹⁴ 8 F.R. 15594.
¹⁵ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 11955.

(e) \$5.00 per thousand board feet "handling charge".

(f) 10 percent of the sum of (a), (b), (c) and (d) above on sales by wholesale or CPA distribution yards or "wholesale-type" sales by retail yards; or the appropriate area mark-ups as shown in section 5 (c) on sales other than "wholesale-type" sales by retail yards.

6. In section 7, paragraph (a) (5) is amended to read as follows:

(5) *Northeastern softwoods;* RMPR 219. (i) Eastern spruce (domestic and Canadian), Jack pine, Norway pine, and White cedar shingles: use American prices and weights and Vanceboro, Maine or Cass, West Virginia (whichever takes the lower rate of freight to destination) as the basing point; except for Norway pine produced in Ottawa Valley use Canadian prices and weights and Niagara Falls, New York, Detroit, Michigan, or Chicago, Illinois (whichever takes the lowest rate of freight to destination) as the basing point.

(ii) White pine: use American prices and weights and Norway, Maine or Bristol, Tennessee-Virginia (whichever takes the lower rate of freight to destination) as the basing point; except for White pine produced in Ottawa Valley use Canadian prices and weights and Niagara Falls, New York, Detroit, Michigan, or Chicago, Illinois (whichever takes the lowest rate of freight to destination) as the basing point.

(iii) Eastern hemlock: use prices established for Pennsylvania and New York and Williamsport, Pennsylvania or Bristol, Tennessee-Virginia (whichever takes the lower rate of freight to destination) as the basing point; except in the New England states, use prices for hemlock produced in New England and Norway, Maine as the basing point.

7. In section 7, paragraph (a) (12), the heading is amended by deleting "10" from the list of tables.

8. In section 7, paragraphs (a) (13) and (14) are amended to read as follows:

(13) *Northern hardwood flooring;* MPR 432: Wells, Michigan.

(14) *Oak, pecan and miscellaneous hardwood flooring;* MPR 458: Johnson City, Tennessee.

9. Section 13 is amended to read as follows:

SEC. 13. How to figure additions for working, kiln drying and pressure treatment—(a) Basic workings. The following additions per MBM may be made to the maximum price of the most economical size from which the desired size may be obtained when a distribution yard is required to perform the workings and the end product is a non-standard size. The charges apply to the total quantity involved in one order when no change in the machine set-up is involved. The additions may be made to the maximum price of the most economical size from which the desired size may be obtained computed under this regulation only after the percentage mark-up has been added and may not be added if the end product is an item of boards or dimension in standard or near standard size shown in the applicable mill regulation, except as provided in paragraph (e) of this section.

MAXIMUM MILLING CHARGES

	4/4, 5/4, 6/4		2 inches		3 and 4 inches		5 x 5 inches to 8 x 8 inches		6 x 10 inches and larger		Permitted minimum charges
	On all sales where mark-up is \$5 and 10%	All other sales	On all sales where mark-up is \$5 and 10%	All other sales	On all sales where mark-up is \$5 and 10%	All other sales	On all sales where mark-up is \$5 and 10%	All other sales	On all sales where mark-up is \$5 and 10%	All other sales	
S1S, S2S	\$3.00	\$6.25	\$2.50	\$4.50	\$2.50	\$4.50	\$3.00	\$5.25	\$4.00	\$7.00	\$1.50
S3S, S4S	3.00	5.25	2.50	4.50	2.50	4.50	3.00	5.25	4.00	7.00	1.50
D & M, shiplap, grooved, bevelled sleepers	3.50	6.25	3.00	5.25	3.00	5.25	6.00	10.50	6.00	10.50	1.75
Drop siding and ceiling	3.50	6.25	3.00	5.25	3.00	5.25	6.00	10.50	6.00	10.50	1.75
Outgauging and special patterns	7.50	13.25	7.50	13.25	7.50	13.25	7.50	13.25	7.50	13.25	3.75
Crosscutting	1.00	1.75	1.00	1.75	1.00	1.75	2.00	3.50	2.00	3.50	.50
Ripping	1.50	2.75	1.50	2.75	1.50	2.75	2.00	3.50	2.00	3.50	.75
Resawing	2.00	3.50	2.00	3.50	2.00	3.50	2.00	3.50	2.00	3.50	1.00

NOTES: (1) Where the total charge figured on an MBM basis is less than the minimum shown in the table, the minimum charge may be added.

(2) The cross-cutting addition may be made only as many times as are necessary to produce the desired length from the shortest standard multiple of that length in the size and grade required. The final cost, including cross-cutting and waste, may not exceed the most economical final cost of producing the required length.

(b) *Kiln-drying.* For kiln-drying, done at the yard, an addition of double the addition permitted by the applicable direct-mill regulation may be made.

(c) *Custom milling or kiln-drying.* Where the required working or kiln-drying cannot be performed by the distribution yard making the sale because it does not have the necessary facilities, the yard may add to the maximum price of the original size the actual cost of having the working or drying performed at a custom establishment provided the end product produced is a non-standard size or an item larger than boards or dimension. If the distribution yard has the facilities to perform the required workings or drying the maximum charges in paragraphs (a) and (b) of this section apply. If the end product is a standard or near standard size of boards or dimension, no additions may be made and the maximum price must be computed on the basis of the item produced.

No addition may be made for transportation to or from the custom establishment.

(d) *Custom pressure treating.* Where pressure treating is required, and the distribution yard making the sale does not have the necessary facilities, the yard may add to its maximum selling price of the green untreated lumber its actual cost of having the lumber treated by a custom plant including delivery charges to the purchaser by way of the treating plant under section 12. These charges must be shown separately on the invoice.

(e) *Special exception for remanufacturing Douglas fir and other West Coast lumber.* If a distribution yard making a sale of Douglas fir or other West Coast lumber covered by Revised Maximum Price Regulation 26 remanufactures standard sizes of boards or dimension from larger sizes, the f. o. b. mill price and weight of the most economical size from which the desired size may be obtained may be used in computing the maximum price of the item produced and the milling charges shown in the table in paragraph (a) of this section may be added, subject to the following conditions:

(3) The ripping and resawing charges may be added only if the end product produced is a non-standard size or is larger than boards (under 2" in nominal thickness) or dimension (2" in nominal thickness, 12' or less in width or 24' or less in length).

(4) The total charge for ripping and resawing may not include additions for more than three rips, and/or resaws.

(1) Any yard wishing to compute its maximum prices under this paragraph must make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for specific permission. The applicant must submit: (1) Satisfactory proof that he is unable to purchase standard sizes of boards and dimension from mills or concentration yards; (2) a statement of the total footage of softwood lumber delivered from his yard stock during each of the three months immediately preceding the date of the application; (3) a complete description of the remanufacturing facilities of his yard, including the number and capacity of resaws, planers, etc.

The remanufacturing provisions of this paragraph may be adopted by the yard as soon as application is filed. Permission may be granted by letter or telegram and may be withdrawn at any time for failure to comply with all of the provisions of this paragraph or if it appears that a yard is using it as a method of evading any other provision of this regulation.

(2) In no case will the permission granted under this paragraph be applicable in any one month to more than 30 percent of the average monthly footage of softwood lumber delivered by the yard during the 3 months immediately preceding, or to sales on which the distribution yard mark-up is greater than \$5.00 and 10 percent.

(3) The total charge for ripping, resawing and/or dressing may not include an addition of more than two of these workings per piece. For example, there may be one rip and one resaw; or one resaw and one dressing charge; etc.

(4) Any yard which is granted permission to remanufacture under this paragraph must file with the Lumber Branch, Office of Price Administration, Washington, D. C., on or before the 10th day of each month a statement of the softwood footage shipped and remanufactured by it during the preceding month. Yards operating under this paragraph must keep records available to the Office of Price Administration at all times showing the amount of lumber remanufactured during any month, the

nature of the remanufacturing, the size and condition of the lumber before and after remanufacturing and any additional information which the Office of Price Administration may deem necessary to prevent evasion of the regulation.

10. In section 15 the first clause of the next to the last sentence is amended to read as follows: "The invoice must also show whether working, dry-kilning or treating was done by a distribution yard or custom establishment."

11. In section 16, the phrase "10,000 shingles" in the unlettered paragraph of paragraph (d) is deleted and the phrase "10 squares of shingles" inserted in its place.

12. A new paragraph (h) is added to section 16 to read as follows:

(h) *Lower grades of lumber.* Lower grades of lumber as used in this regulation mean the grades for the particular species shown below:

2d Rev. MPR 19—All items lower than No. 2 Box grade.
MPR 26—All items and grades No. 4 Common and lower.

MPR 94—All items and grades No. 5 Common and lower (including No. 3 dimension).
MPR 219—Northeastern White Pine—All items and grades No. 5 Common and lower.

Eastern Spruce—all items and grades below No. 3 Common.
Jack Pine—all items and grades below No. 3 Common.

Norway Pine—all items and grades below No. 3 Common.

Hemlock—all items and grades No. 5 Common and lower.
Ottawa Valley White Pine—all items and grades No. 6 Common and lower.

2d Rev. MPR 222—Hemlock—all items and grades No. 6 Common and lower.
Northern White Pine—all items and grades No. 6 Common and lower.

Norway Pine—all items and grades No. 6 Common and lower.

Jack Pine—all items and grades No. 6 Common and lower.

Aspen—all items and grades below No. 5 Common.
Canadian Western White Spruce—all items and grades below No. 5 Common.

MPR 253—All items and grades lower than No. 3 Common.
MPR 290—All items and grades lower than No. 3 Common.

MPR 402—All items and grades No. 4 Common and lower.

MPR 412—All items and grades poorer in quality than the lowest standard grade (SCMA Rules).

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3153; Filed, March 4, 1944;
11:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188;¹ Amdt. 29]

WET MOPS, MOP HEADS AND MOPSTICKS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The following products are added to § 1499.167, Appendix B, to read as set forth below:

Wet mops, wet mop heads, and mopsticks.

This amendment shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3154; Filed, March 4, 1944;
11:33 a. m.]

PART 1306—IRON AND STEEL

[RPS 41, Amdt. 11]

STEEL CASTINGS AND RAILROAD SPECIALTIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 41 is amended in the following respects:

1. The first and second sentences of the first paragraph of Appendix A (§ 1306.112) are amended to read as follows:

Maximum prices for steel castings are set forth in the following paragraphs (a), (b) and (c). These three paragraphs are exclusive of each other. The maximum prices in these three paragraphs shall be computed on the basis of actual shipping weights and apply to castings which are subject to repair by the producer by welding or otherwise. Paragraph (d) provides an optional method for establishing the maximum prices for

castings in paragraphs (a) and (c) bearing N. O. C. B. N. classifications.

2. Section 1306.112 (a) (3) is amended to read as follows:

(3) *Extras.* No extra charges may be added in computing maximum prices for armor castings. The only exception is where the inspection of every armor casting by X-ray, gamma ray or magnaflux is required and the castings are subject to rejection by the purchaser on the basis of such inspection. Where such is the case the applicable extra charges for X-ray, gamma ray, and magnaflux inspections in Table VII¹ may be added. In the case of navy, ordnance and ship and marine castings the only extra charges which may be added in computing maximum prices are those in Table VII.

3. A new subparagraph (4) is added to § 1306.112 (b) to read as follows:

(4) Irrespective of a producer's customary July 15, 1941, extra charges for castings subject to rejection by the purchaser on the basis of X-ray, gamma ray and magnaflux inspection, the only extra charges for such inspections which may be added in computing maximum prices for castings subject to rejection by the purchaser on the basis of such inspection are those in Table VII.

4. Section 1306.112 (c) (3) is amended to read as follows:

(3) *Extras.* The only extra charges which may be added in computing maximum prices are those in Table VII.

5. The schedule reference for Item 6712 of Table V of § 1306.112 is amended to read X-333R.

6. The price for castings weighing one to five pounds when sold in quantities of 100 to 249 pieces in Schedule X-322R of Table VI of § 1306.112 is amended to read .276.

7. Table VII is added at the end of Appendix A (§ 1306.112) to read as follows:

TABLE VII—EXTRA CHARGES

The following charges may be added in computing maximum prices only where the extras are specified by the purchaser and furnished by the producer:

A. *Comprehensive report extras.* The extra charges listed on pages 64, 65 and 66 of the Comprehensive Report may be added in computing maximum prices for navy, ordnance, and ship and marine castings in paragraph (a) and also for castings for which maximum prices are established by paragraph (c).² *Exception.* No extra charge for tension specifications may be added where the purchaser's specifications call for both tensile strengths and yield points below those shown for Class A, Grade I steel in the Table of Tension Specifications on page 66 of the Comprehensive Report.

B. *Extras for X-ray, gamma ray and magnaflux.* Extra charges may be added for X-ray, gamma ray or magnaflux inspection of steel castings only where the castings are subject to rejection by the purchaser on

¹ Table VII appears at the end of Appendix A.

² The extra charge for pressure or oil tests on page 12 of the Comprehensive Report may be added where applicable in computing maximum prices under paragraph (c) for Electrical Machinery and Equipment Castings.

the basis of such inspection. The applicable extra charges are as follows:

1. *Pilot castings.* The applicable maximum price for each pilot casting may be added in the case of X-ray, gamma or magnaflux inspection. This price shall be determined on the basis of the quantity differentials applicable to the total quantity of castings ordered from one pattern at one time.

2. *X-ray or gamma ray only—(a) Production cost extras.* Regardless of who makes the inspection, whichever of the following percentages of the base prices³ for rough castings of the following types is applicable may be added where Navy Department Bureau of Ships Radiographic Standards for Steel Castings, or similar standards, are specified:

Class No. and description:	Percent
1. H. P. Valves and Fittings (wall thickness less than 1 inch); Super-heater Fittings; Boiler Stop Valves; Machinery Castings subject to fatigue or impact stresses (wall thickness less than $\frac{1}{2}$ inch)	30

2. H. P. Turbine Casings; Steam Chests; Turbine Throttle Valves; H. P. Valves and Fittings (wall thickness 1 inch or greater); L. P. Valves (wall thickness less than 1 inch); Machinery Castings (wall $\frac{1}{2}$ inch or greater)	22½
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3. L. P. Turbine Casings; H. P. Turbine Exhaust Casings; L. P. End of H. P. Turbine; L. P. Valves (wall thickness 1 inch or greater); Machinery Castings not subjected to steam pressure	17½
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4. Hull castings less than 3 inches in thickness—subjected to high service stresses: Machinery castings not subjected to impact stresses or vibration	
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5. Hull castings 3 inches or more in thickness and subject to high service stresses	12½
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Where a casting is not one of the types described above such casting shall be classified and the applicable charge determined by using the description and applying the standards above which most nearly fit such casting.

(b) *Inspection extras—(i) Inspection by the producer.* When inspection is made by the producer there may be added not only the applicable charge for the production cost extra but also a charge based on the "time required" to make the inspection computed on the basis of the following:

X-ray machine capacity:	Hourly rate
200,000 to 300,000 volt capacity machine	\$17.00
300,000 to 500,000 volt capacity machine	21.00
1,000,000 and over volt capacity machine	25.00

Radium capacity:	
10 to 500 milligrams	5.00

In no case need such charge be less than a total of \$10.00 on one order. "Time required" means the total time consumed in the transportation of castings to be inspected from the production line or repair point to the point of inspection, in the setting up of castings for inspection, in making the exposure, in dismantling the castings and in the actual operation of developing and interpreting the films.

(ii) *Subcontracted inspection.* When inspection is let out by the producer to an

³ "Base prices" wherever used means the maximum price for the rough castings before adjustment for extra charges, machining charges, pattern charges, and transportation charges or allowances.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14756, 16298, 17415.

independent laboratory there may be added not only the applicable charge for the production cost extra but also the net charge of the independent laboratory plus 10% of such charge.

3. *Magnaflux only*—(a) *Production cost extras*. Regardless of who performs the inspection, whichever of the following percentages of the base price for the rough casting is applicable may be added:

When the purchaser specifies testing at amperage of:	Percent
Up to 600 amperes	15
600 to 1,000 amperes	22½
1,000 to 3,000 amperes	30

(b) *Inspection extras*—(1) *Inspection by the producer*. When inspection is made by the producer there may be added not only the charge for the production cost extra but also a charge based on the "time required" to make the inspection computed on the basis of the following:

Amperage of testing:	Hourly rate
Up to 1,000 amperes	\$7.50
1,000 to 3,000 amperes	9.00

In no case need said charge be less than a total of \$10.00 on one order. "Time required" means the total time consumed in the transportation of the castings to be inspected from the production line or repair point to point of inspection, the setting up of the castings for inspection, the exposure and dismantling of the castings, and the operation of interpreting the magnafluxing.

(ii) *Subcontracted inspection*. When inspection is let out by the producer to an independent laboratory there may be added not only the applicable charge for the production cost extra but also the net charge of the independent laboratory plus 10% of such charge.

4. *Castings subject to rejection by the purchaser on the basis of both radiographic and magnaflux inspection*—(a) *Production cost extras*. Regardless of who makes the inspection, whichever of the applicable charges for the production cost extras in 2 (a) or 3 (a) is higher may be added.

(b) *Inspection extras*—(1) *Inspection by the producer*. When either or both of the radiographic and magnaflux inspections are made by the producer there may be added not only the applicable charge for the production cost extra in (a) of this section 4 but also all of the charges for inspection extras in 2 (b) (1) and 3 (b) (1) which are applicable.

(2) *Subcontracted inspection*. When either or both of the radiographic and magnaflux inspection are let out by the producer to an independent laboratory, there may be added not only the applicable charge for the production cost extra in (a) of this section 4 but also the net charge of the independent laboratory plus 10% of such charge.

c. *Special extras*. Where at the request of the purchaser a producer furnishes services in connection with the sale of steel castings which services are beyond customary foundry practice in the third quarter of 1941 such producer may, in computing his maximum prices, include a charge for such services only if such extra charge is established in the following manner: Such producer shall request the Iron and Steel Branch of the Office of Price Administration, Washington, D. C. in writing to establish an extra. Such request must include (1) a full description of the castings, (2) a statement of the end-use of the castings, (3) the service to be furnished, (4) the estimated cost of furnishing such service, (5) the circumstances under which the service will be furnished, (6) whether it has been furnished in the past and, if so, what charge has been made, (7) the amount of the extra charge requested, and (8) such other information as the producer may wish to submit. Said Iron and Steel Branch shall

act on such request within a reasonable time and may take such action on the request as to it seems just and proper. Pending such action the producer may invoice the prices computed on the basis of requested extra charges subject, however, to adjustment in accordance with whatever extra charge is established by said Iron and Steel Branch pursuant to the request. Action taken by the Iron and Steel Branch pursuant to this paragraph shall be in writing.

This amendment shall become effective March 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3168; Filed, March 4, 1944;
3:55 p. m.]

PART 1429—POULTRY AND EGGS

[MPR 333, Amdt. 24]

FROZEN AND DRIED EGGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 333 is amended in the following respects:

1. Section 1429.70 (e) is amended to read as follows:

(e) *Maximum base prices in cents per pound for frozen whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks and frozen reconstituted eggs in the Cities of New York, Seattle, Los Angeles, San Francisco, San Diego, Phoenix, Tucson, and Portland, Oregon.*

TABLE E

Month	1945		1944									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted eggs	35.4	35.3	32.0	32.0	32.0	32.0	33.0	33.4	33.8	34.2	34.6	35.0
Frozen whites	27.4	27.3	24.0	24.0	24.0	24.0	25.0	25.4	25.8	26.2	26.6	27.0
45% yolks	48.9	48.8	45.5	45.5	45.5	45.5	46.5	46.9	47.3	47.7	48.1	48.5
Sugared and salted yolks (10% sugar or salt)	43.6	43.5	40.2	40.2	40.2	40.2	41.2	41.6	42.0	42.4	42.8	43.2

2. Section 1429.70 (g) is amended to read as follows:

(g) *Maximum base prices in cents per pound for frozen, whole eggs, frozen whites, frozen 45% yolks, frozen sugared or salted yolks, and frozen reconstituted eggs in Kansas City, Missouri and for use in pricing in "Eastern Area" (but not to be used as a "basing point city" for calculating prices in "Area 2").*

TABLE F

Month	1945		1944									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Whole frozen eggs and reconstituted eggs	34.0	33.9	30.6	30.6	30.6	30.6	31.6	32.0	32.4	32.8	33.2	33.6
Frozen whites	26.0	25.9	22.6	22.6	22.6	22.6	23.6	24.0	24.4	24.8	25.2	25.6
45% Yolks	47.5	47.4	44.1	44.1	44.1	44.1	45.1	45.5	45.9	46.3	46.7	47.1
Sugared and salted yolks (10% sugar or salt)	42.2	42.1	38.8	38.8	38.8	38.8	39.8	40.2	40.6	41.0	41.4	41.8

3. Section 1429.74 (d) is amended to read as follows:

(d) *Maximum prices in cents per pound for dried whole eggs, dried egg yolks, and flaked dried albumen and spray dried or powdered albumen in the Cities of New York and Seattle.*

TABLE H

Month	1945		1944									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dried yolks	1.19	1.12	1.05	1.05	1.05	1.05	1.07	1.09	1.11	1.13	1.15	1.17
Flaked, dried albumen	1.94	1.87	1.80	1.80	1.80	1.80	1.82	1.84	1.86	1.88	1.90	1.92
Spray dried or powdered albumen	1.99	1.92	1.85	1.85	1.85	1.85	1.87	1.89	1.91	1.93	1.95	1.97
Dried whole eggs	1.285	1.185	1.15	1.15	1.15	1.15	1.18	1.21	1.24	1.25	1.26	1.275

The above maximum prices for dried whole eggs are the maximum base prices for all sales and deliveries of such product in the cities named without regard to "percentage in solids" or "palatability score" except those sales and deliveries to the United States or any agency thereof under contract in which the lot sold or delivered has 96 percent or more in solids and a palatability score of 7 or more.

4. Section 1429.74 (d) (3) is hereby revoked.

5. Section 1429.74 (f) as provided by Amendment 3 is hereby revoked.

* Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 2488, 3002, 3070, 3735, 5342, 5839, 6182, 6476, 6626, 7457, 9027, 9300, 9879, 11381, 12095, 12478, 12632, 14093 14400, 14855, 15459, 16199, 16999, 17485.

FEDERAL REGISTER, Tuesday, March 7, 1944

This amendment shall become effective March 4, 1944.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-3167; Filed, March 4, 1944;
3:54 p. m.]

PART 1300—PROCEDURE

[Rev. Procedural Reg. 4]

ISSUANCE OF RATIONING SUSPENSION ORDERS

Procedural Regulation No. 4 is redesignated Revised Procedural Regulation No. 4 and is revised and amended to read as follows:

§ 1300.151 Procedure for issuance of rationing suspension orders. Pursuant to the authority conferred upon the Administrator by Executive Order 9125, War Production Board Directive No. 1, as supplemented, and the Food Directives of the Secretary of Agriculture and the War Food Administrator, this Revised Procedural Regulation No. 4, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1300.151 issued pursuant to Pub. Law. 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; and by Pub Law 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. No. 1, 7 F.R. 562, as supplemented; Food Dir. No. 3, 8 F.R. 2005; Food Dir. No. 5, 8 F.R. 2251; Food Dir. No. 6, 8 F.R. 3471, and Food Dir. No. 7, 8 F.R. 3471.

REVISED PROCEDURAL REGULATION NO 4—ISSUANCE OF RATIONING SUSPENSION ORDERS

ARTICLE I—SCOPE AND APPLICATION OF REVISED PROCEDURAL REGULATION NO. 4

Sec.

1.1 Scope of regulation.

ARTICLE II—INSTITUTION AND CONDUCT OF PROCEEDINGS

- 2.1 Institution of proceedings.
- 2.2 Notice of hearing.
- 2.3 Conduct of hearings.
- 2.4 Rules of evidence.
- 2.5 Appearances.
- 2.6 Continuance or adjournment of hearings.
- 2.7 Defaults.
- 2.8 Subpoenas.
- 2.9 Payment of witness fees.
- 2.10 Contemptuous conduct.
- 2.11 Transcript of hearings.
- 2.12 Presiding Officer's advisory report service.
- 2.13 Briefs on Presiding Officer's advisory report.
- 2.14 Briefs after hearing before commissioner.

ARTICLE III—ORDERS OF HEARING COMMISSIONERS

- 3.1 Suspension order of the Hearing Commissioner.
- 3.2 Stay of operation of suspension order.
- 3.3 Consent order.
- 3.4 Application for modification, vacation or further hearing.
- 3.5 Order upon application.

ARTICLE IV—APPEALS FROM ORDERS OF WAR PRICE AND RATIONING BOARDS OR SPECIAL HEARING OFFICERS

- 4.1 Appeals from orders of Boards or Special Hearing Officers.

ARTICLE V—APPEALS TO, REVIEW AND HEARING BY HEARING ADMINISTRATOR

Sec.

- 5.1 Hearing and order by Hearing Administrator.
- 5.2 Petition for reconsideration of orders issued under section 5.1.
- 5.3 Appeals from orders of hearing commissioners.
- 5.4 Notice of appeal.
- 5.5 Stay pending appeal.
- 5.6 Record on appeal.
- 5.7 Briefs.
- 5.8 Oral argument.
- 5.9 Order on appeal.
- 5.10 Review on initiative of Hearing Administrator.

ARTICLE VI—MISCELLANEOUS

- 6.1 Service of papers.
- 6.2 Office hours: filing.
- 6.3 Definitions.
- 6.4 Effective date.

ARTICLE I—SCOPE AND APPLICATION OF REVISED PROCEDURAL REGULATION NO. 4

SECTION 1.1 Scope of regulation. It is the purpose of this regulation to prescribe the procedure used by the Office of Price Administration in the issuance of rationing suspension orders. This regulation does not apply to suspension proceedings before War Price and Rationing Boards or Special Hearing Officers, but Article IV prescribes the procedure on appeal from orders issued in such proceedings.

ARTICLE II—INSTITUTION AND CONDUCT OF PROCEEDINGS

SEC. 2.1 Institution of proceedings. A proceeding for the issuance of a suspension order shall be instituted by the service of a notice of hearing upon the respondent not less than seven (7) days before such hearing.

SEC. 2.2 Notice of hearing. (a) A notice of any hearing to be held pursuant to this regulation shall be issued by the District Enforcement Attorney. It shall set forth the time and place of hearing, a clear statement of the charges against the respondent with a reference to the particular section of the regulation or order alleged to have been violated, and a statement of the purpose or purposes for which the hearing is to be held. The notice shall also state that a suspension order may be entered by default in case of failure to appear at the hearing.

(b) If the notice of hearing is served at least ten (10) days before the date set for the hearing, the notice may provide that such hearing will be held only if the respondent serves upon the District Enforcement Attorney a request for such hearing and a statement of the general nature of his defense to each of the charges. Such notice shall fix the time for serving the request and statement, which shall be not less than five (5) days after service of notice.

(c) A copy of Revised Procedural Regulation No. 4 shall be attached to the notice of hearing served upon any respondent.

SEC. 2.3 Conduct of hearing. (a) Any hearing held pursuant to this regulation shall be conducted by a Hearing Commissioner or by a Presiding Officer designated by the Chief Hearing Commissioner to conduct the hearing. The Hearing Commissioner or Presiding Offi-

cer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

(b) The hearing shall be so conducted as to permit the presentation of evidence and argument to the fullest extent compatible with fair and expeditious determination of the issues raised in the hearing. To this end:

(1) The respondent shall have the right to be represented by counsel of his own choosing.

(2) The Hearing Commissioner or Presiding Officer shall afford reasonable opportunity for cross-examination of witnesses.

(3) All hearings held pursuant to this regulation shall be public.

SEC. 2.4 Rules of evidence. The rules of evidence governing civil proceedings in matters not involving trial by jury in the courts of the United States shall govern all hearings: *Provided, however,* That such rules may be relaxed by the Hearing Commissioner or Presiding Officer where the ends of justice will be better served by so doing.

SEC. 2.5 Appearances. Any individual respondent may appear for himself; any partner may appear for a partnership if expressly or impliedly authorized to do so; any officer of a corporation or association may appear for such corporation or association. Any respondent may appear by an attorney. No other person may appear for a respondent unless specifically authorized in writing by such respondent. All appearances shall be noted on the record of the proceeding. Appearances of Office of Price Administration employees and former employees in a representative capacity shall be governed by the provisions of Procedural Regulation No. 14.

SEC. 2.6 Continuance or adjournment of hearing. The hearing shall be held at the time and place specified by the notice of hearing but the Hearing Commissioner or Presiding Officer may continue or adjourn the hearing to a later date or to a different place. Notice of such adjournment or continuance shall be given either prior to or at the hearing.

SEC. 2.7 Defaults. (a) If a respondent fails to appear at a hearing or if he fails to file a request for hearing when such a request is required pursuant to section 2.2 (b), the charges set forth in the notice of hearing may be deemed to be admitted by default, and a hearing need not be held. The District Enforcement Attorney shall, however, present evidence relevant to the determination of the effective period of any suspension order.

(b) At any time within ten (10) days after the service of an order issued after a default, the respondent may file with the Hearing Commissioner a petition for the reopening of the proceedings, setting forth the grounds on which he believes his default should be excused. A copy of such petition shall be served upon the District Enforcement Attorney at or prior to the time of filing. Within three (3) days after such service, the District Enforcement Attorney may file with the Hearing Commissioner affidavits and a brief in opposition, a copy of which shall

be served on the respondent at or prior to the time of filing. The Hearing Commissioner shall grant or deny the petition by order. If the Hearing Commissioner grants the petition, his order shall set aside the order to which the petition is directed and shall set forth the time and place for the hearing.

SEC. 2.8 Subpoenas. (a) Any Hearing Commissioner may, upon proper application, issue subpoenas compelling the attendance and testimony of witnesses and the production of evidence at a hearing conducted under this Regulation.

(b) An applicant for a subpoena shall specify the name and address of the witness and the nature of the facts to be proved by him, and, if calling for the production of evidence, shall specify the same with such particularity as will enable it to be identified for purposes of production.

(c) A subpoena may be served by any person, including a party, who is more than 18 years of age. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fee and mileage for one day's attendance. When the subpoena is issued on behalf of the Office of Price Administration, fees and mileage need not be tendered. The verified return of the person making the service shall be proof of service.

SEC. 2.9 Payment of witness fees and mileage. Witnesses summoned before a Hearing Commissioner or Presiding Officer at any hearing held pursuant to this regulation shall be paid the same fees and mileage as are paid witnesses in the District Courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witness appears.

SEC. 2.10 Contemptuous conduct. Contemptuous conduct at any hearing shall be ground for exclusion from the hearing. The refusal of a witness to testify or to answer any question which has been ruled to be proper shall, in the discretion of the Hearing Commissioner or Presiding Officer, be grounds for the striking out of all testimony previously given by such witness on related matters.

SEC. 2.11 Transcript of hearings. (a) A stenographic report of all hearings shall be taken. The report shall be transcribed only if the transcription is requested by a party to the proceeding or the Hearing Commissioner, or if the case is heard by a Presiding Officer. Any party may obtain a copy of the transcript. The cost of a transcription requested by a respondent shall be borne by such respondent. If the report is transcribed at the request of the Hearing Commissioner or the District Enforcement Attorney, a copy shall be available for inspection by the respondent during business hours at the District Office or such other place as may be designated by the Hearing Commissioner. Argument of counsel shall not be included in the report except at the direction of the Hearing Commissioner or Presiding Officer.

(b) The parties may, by stipulation, agree upon corrections of inaccuracies in the transcript. The Hearing Commissioner or Presiding Officer, whichever presided at the hearing, shall by written findings, resolve any dispute of the parties as to the accuracy of the transcript.

SEC. 2.12 Presiding Officer's advisory report; service. (a) A Presiding Officer who has conducted a hearing shall prepare an advisory report, which shall contain findings of fact and conclusions of law, and may contain recommendations with respect to the disposition of the matter.

(b) The advisory report shall be filed with the Hearing Commissioner, and copies thereof shall be served on the respondent and the District Enforcement Attorney.

SEC. 2.13 Briefs on Presiding Officer's advisory report. (a) Any party may submit to the Hearing Commissioner a brief in opposition to or in support of the report of the Presiding Officer.

(b) Such briefs shall be filed within five (5) days after the service of the Presiding Officer's report. The brief shall be filed with the Hearing Commissioner and a copy thereof served upon the opposing party at or before the time of filing.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Hearing Commissioner.

SEC. 2.14 Briefs after hearing before Hearing Commissioner. The Hearing Commissioner may, upon request of any party to a proceeding conducted by him, permit the filing of briefs or written argument. Such briefs or written argument shall be filed within such time as the Hearing Commissioner may prescribe.

ARTICLE III—ORDERS OF HEARING COMMISSIONERS

SEC. 3.1 Suspension order of Hearing Commissioner. (a) If the Hearing Commissioner determines that a respondent has violated a rationing regulation or order he may issue a suspension order.

(b) Any suspension order hereunder, except a consent order issued under section 3.3, shall set forth the findings of fact and conclusions of law upon which it is based and shall contain a statement of the reasons why a suspension order should be issued, unless such findings of fact, conclusions of law and statement of reasons are set forth in an opinion accompanying the order.

(c) If the Hearing Commissioner determines that no suspension order should be issued, he shall issue an order dismissing the proceeding or an admonitory order. The findings of fact, conclusions of law and a statement of the reasons why an order of dismissal or an admonitory order should be issued shall be set forth in the order or in an opinion accompanying the same.

(d) A suspension order under this section may contain such provisions as may be deemed appropriate to make it effective.

SEC. 3.2 Stay of operation of suspension order. (a) A Hearing Commissioner may, for good cause, provide in a suspension order that the operation thereof shall be stayed in whole or in part for so long as the respondent shall comply with rationing orders or the conditions set forth in the suspension order.

(b) The District Enforcement Attorney may at any time file an application with the Hearing Commissioner or, in the Hearing Commissioner's absence, with the Chief Hearing Commissioner to have such a stay vacated. Such application shall be served upon the respondent, shall set forth a detailed statement of charges of further violations of a rationing order by the respondent, and shall contain affidavits or other proofs of such violations. The application shall contain a statement fixing a time, which shall not be less than seven (7) days after service, within which the respondent may file with the Hearing Commissioner or Chief Hearing Commissioner, as the case may be, answering affidavits, proofs, and written arguments.

(c) The Hearing Commissioner or Chief Hearing Commissioner, as the case may be, may, either upon the written proofs submitted by the parties or upon further hearing ordered by him, enter an order vacating the stay in whole or in part. All proofs submitted and the record of any further hearing shall become part of the record of the original proceeding.

(d) Any Hearing Commissioner may, in an order issued in a suspension proceeding under this regulation, vacate a stay of the operation of a suspension order previously issued against the same respondent.

SEC. 3.3 Consent order. If the Hearing Commissioner approves an agreement entered into by the District Enforcement Attorney and a respondent with respect to the terms of a suspension order, he shall issue the order agreed upon, and such order shall have the same force and effect as an order issued under section 3.1 except that no appeal to the Office of the Hearing Administrator may be taken therefrom.

SEC. 3.4 Application for modification, vacation or further hearing. (a) The District Enforcement Attorney or a respondent may file with the Hearing Commissioner an application for modification, vacation or further hearing of an order issued by the Hearing Commissioner under section 3.1, from which no appeal is pending. Any application so filed shall be accompanied by proof of service upon the opposing party.

(b) The application may include affidavits or a brief in support thereof, shall state in detail the grounds upon which the order should be modified, vacated or set for re-hearing in accordance with section 3.5.

(c) The opposing party may, within three days of receipt of service of the application, or such longer period as the Hearing Commissioner may allow, file with the Hearing Commissioner a brief and affidavits in opposition to the application.

FEDERAL REGISTER, Tuesday, March 7, 1944

(d) At any time after the filing of such an application, the Hearing Commissioner may, in his discretion, stay the suspension order to which the application relates, pending determination of the application.

SEC. 3.5 Order upon application. (a) A Hearing Commissioner may by order, at any time, save when an appeal is pending or an order has been entered on appeal by the Hearing Administrator, modify or vacate an order issued by him to correct errors of fact or law disclosed by the record. No oral hearing will be held on such application.

(b) At any time after the issuance of a Hearing Commissioner's order or an order on appeal therefrom, except when an appeal is pending, the Hearing Commissioner may set the proceeding for a further hearing upon a showing to his satisfaction:

(1) That the applicant will produce additional material evidence which the applicant could not have produced at the original hearing by the exercise of reasonable diligence, or

(2) That material changes in conditions or circumstances cause the suspension order to be detrimental to the public interest.

(c) A Hearing Commissioner may, at any time, either upon his own motion or upon motion of either party, modify his order to correct a clerical error or omission, or to change the effective dates of the order.

(d) An order may not be modified, vacated, or set for further hearings by the Hearing Commissioner for reasons other than those stated in paragraphs (a), (b), and (c) of this section, unless its affirmatively appears to the Hearing Commissioner that refusal to take such action would be wholly inconsistent with the just and proper disposition of the proceeding.

ARTICLE IV—APPEALS FROM ORDERS OF WAR PRICE AND RATIONING BOARDS OR SPECIAL HEARING OFFICERS

SEC. 4.1 Appeals from orders of Boards or Special Hearing Officers. (a) Whenever a right to appeal to a Hearing Commissioner from an order of a War Price and Rationing Board or a Special Hearing Officer is granted by a rationing order or regulation, such appeal may be taken within the time and in the manner prescribed by the rationing order or regulation.

(b) The appeal shall be heard by the Hearing Commissioner or a Presiding Officer and determined by the Hearing Commissioner in the same manner as if it were an original proceeding instituted by a notice of hearing issued under section 2.1.

(c) The Hearing Commissioner may, for good cause shown upon application by the respondent, stay or suspend the operation of an order issued by a War Price and Rationing Board or a Special Hearing Officer pending the hearing and determination of the appeal.

(d) Any order issued by the Hearing Commissioner upon the determination of the appeal shall supersede the order from which the appeal was taken. No appeal may be taken to the Office of the Hearing Administrator from such an

order issued by the Hearing Commissioner.

ARTICLE V—APPEALS TO, REVIEW AND HEARING BY HEARING ADMINISTRATOR

SEC. 5.1 Hearing and order by the Hearing Administrator. (a) At any time after the service of the notice of hearing and before the service of the order of the Hearing Commissioner, the Hearing Administrator may direct that the proceedings be brought before him.

(b) Notice that the proceedings are to be brought before the Hearing Administrator shall be served upon the District Enforcement Attorney, the respondent and the Hearing Commissioner.

(c) Proceedings brought before the Hearing Administrator shall be conducted in the same manner as if brought before a Hearing Commissioner.

SEC. 5.2 Petition for reconsideration of order of Hearing Administrator under section 5.1. (a) Any party may file with the Hearing Administrator a petition for reconsideration of an order issued by the Hearing Administrator under section 5.1.

(b) The petition for reconsideration shall be served and filed in the same manner as a notice of appeal under section 5.4, and such petition shall conform to the requirements for notices of appeal prescribed in section 5.4 (b). The procedures on such petition shall be the same as on an appeal.

SEC. 5.3 Appeals from orders of Hearing Commissioners. A respondent or the District Enforcement Attorney may appeal to the office of the Hearing Administrator from any order issued under section 3.1 or section 3.2 (c) other than an order entered by default. A respondent may appeal to the Office of the Hearing Administrator from an order issued under section 2.7, denying a petition to reopen a defaulted proceeding.

SEC. 5.4 Notice of appeal. (a) An appeal may be taken by serving a notice of appeal on the Hearing Commissioner and the other party or parties to the proceeding within ten (10) days (or in the case of orders issued in the Territories and Possessions, within thirty (30) days) after service of the order appealed from. A copy of the notice of appeal with proof of such service shall be filed at the Office of the Hearing Administrator, Washington, D. C., within five (5) days after the taking of the appeal. The Hearing Administrator, for good cause shown, may extend the time within which an appeal may be taken.

(b) The notice of appeal shall contain (1) a reference to the findings of fact and conclusions of law, if any, to which exception is taken, (2) a brief statement of the grounds for such exceptions, (3) the modifications proposed with respect to the order appealed from, and (4) a brief statement of the reasons supporting such proposed modifications. The Hearing Administrator may dismiss any appeal if the notice of appeal is deficient in such respects.

(c) The appealing party shall, within ten days after taking the appeal, or such longer period as the Chief Hearing Commissioner shall allow, file in the Office of the Chief Hearing Commissioner the transcript of the stenographic report of

the hearing unless the preparation of the transcript was requested by the Hearing Commissioner or the case was heard by a Presiding Officer.

SEC. 5.5 Stay pending appeal. The taking of an appeal shall not automatically stay the operation of the order appealed from. A Hearing Commissioner may, however, for good cause shown, upon application of any party, stay or suspend the operation of an order pending the determination of the appeal. A copy of such application shall be served upon the opposing party at or before the time it is filed with the Hearing Commissioner. If the Hearing Commissioner does not act upon such application within three days after filing, or denies such application, the requesting party may apply for a stay to the Office of the Hearing Administrator, Washington, D. C.

SEC. 5.6 Record on appeal. The Chief Hearing Commissioner shall, within three (3) days after the receipt of the notice of appeal or the stenographic transcript, whichever is later, send to the Office of the Hearing Administrator the complete record in the case which shall include:

(a) The notice of hearing and proof of service thereof;

(b) The request for hearing, if any, and proof of service thereof;

(c) The transcript of testimony and all exhibits;

(d) The Presiding Officer's report and briefs in support and opposition thereto, if any;

(e) The order of the Hearing Commissioner with proof of service thereof and the accompanying opinion, if any;

(f) The stay order, if any; and

(g) All petitions, applications, or motions filed and orders issued in the proceeding.

SEC. 5.7 Briefs. (a) Any party to the appeal may submit to the Office of the Hearing Administrator a brief in support of or in opposition to the order of the Hearing Commissioner.

(b) Two copies of briefs submitted on behalf of an appealing party, together with proof of service of a copy thereof upon the opposing party, shall be filed with the Office of the Hearing Administrator, Washington, D. C., within ten (10) days after the taking of the appeal. Within five (5) days after receipt of a copy of the appealing party's brief, the opposing party shall file two copies of his brief, together with proof of service of a copy thereof, in the Office of the Hearing Administrator. In the case of an appeal from an order issued in a Territory or Possession twenty (20) days shall be added to the times specified for the filing of briefs. Reply briefs will not be allowed except with the permission of the Office of the Hearing Administrator.

(c) Briefs may be filed after the time prescribed by paragraph (b) of this section only with the permission of the Office of the Hearing Administrator.

SEC. 5.8 Oral argument. The Hearing Administrator may, upon application or upon his own motion, order that oral agreement be heard before him, the Deputy Hearing Administrator, or any Assistant Hearing Administrator.

SEC. 5.9 Order on appeal. (a) The Hearing Administrator may affirm, reverse, or modify the order of the Hearing Commissioner, or remand the proceeding with directions.

(b) Copies of the order on appeal shall be served on the respondent and the District Enforcement Attorney.

(c) The provisions of this section applicable to the Hearing Administrator shall apply to the Deputy Hearing Administrator or any Assistant Hearing Administrator, when either is acting in lieu of the Hearing Administrator pursuant to paragraph (b) of General Order No. 46, as amended.

SEC. 5.10 Review on initiative of Hearing Administrator. (a) In neither the District Enforcement Attorney nor the respondent appeals within the time prescribed in section 5.4, the Hearing Administrator may review the case on his own motion. The Hearing Administrator may review, on his own motion, any order issued by a Hearing Commissioner from which an appeal does not lie.

(b) The Hearing Administrator shall initiate a review under paragraph (a) of this section by serving a notice of intention to review on the District Enforcement Attorney and the respondent.

(c) A review proceeding under this section shall be conducted in the same manner as an appeal except that the time of filing briefs shall be computed from the time of service of the notice of intention to review.

ARTICLE VI—MISCELLANEOUS

SEC. 6.1 Service of papers. Notices, orders, and other process and papers may be served personally, or by leaving a copy thereof at the residence or during usual business hours at the principal office or place of business of the person to be served, or by registered mail or by telegraph. Service by registered mail or by telegraph is complete upon mailing or upon delivery of the text of the telegram to a telegraph office. The verified return of the person making the service, or where service is by registered mail or telegraph the verified return of the person making the service and the return post office or telegraph receipt shall be proof of service.

SEC. 6.2 Office hours of Office of Hearing Commissioners and Hearing Administrator: filing. The Offices of the Hearing Administrator and the Hearing Commissioners shall be open daily from 9 a. m. until 5 p. m. Any person desiring to file papers at any time other than the regular hours stated, may file a written application with the appropriate Hearing Commissioner or the Hearing Administrator, if such papers are to be filed with him, requesting permission therefor. Whenever service is required of papers submitted for filing, proof of such service must accompany the papers.

SEC. 6.3. Definitions. As used in this regulation, unless the context otherwise requires, the term:

(a) "Hearing Administrator" means the Hearing Administrator of the Office of Price Administration or any duly designated person temporarily so acting.

(b) "Office of the Hearing Administrator" includes the Hearing Administrator, the Deputy Hearing Administrator, and any Assistant Hearing Adminis-

trator of the Office of Price Administration, located at Washington, D. C.

(c) "Hearing Commissioner" means the Chief Hearing Commissioner of the Office of Price Administration for the region in which the proceeding is instituted, or such Hearing Commissioner as may be authorized to determine a proceeding held pursuant to this procedural regulation.

(d) "District Enforcement Attorney" means the Enforcement Attorney of the Office of Price Administration for the District in which the proceeding is instituted or an attorney authorized to act for the District Enforcement Attorney in any proceeding conducted pursuant to this regulation.

(e) "Suspension order" means an order of allocation which regulates or suspends for a period the acquisition, sale, transfer, delivery, or other disposition or use of rationed commodities or facilities, issued against a person who has acted in violation of a ration order or regulation.

(f) "Rationing order or regulation" means any order or regulation of the Office of Price Administration issued pursuant to War Production Board Directive No. 1, as supplemented or amended, or any Directive of the War Food Administrator or the Secretary of Agriculture, or any other delegation of authority conferred by section 2 (a) of the Second War Powers Act.

SEC. 6.4 Effective date. This Revised Procedural Regulation No. 4 shall become effective at 12:01 a. m. on April 1, 1944. It governs all proceedings in cases instituted on and after that date. Unless the Hearing Administrator otherwise directs, it shall also govern all future proceedings in cases then pending: *Provided, however,* That the procedure prescribed by Temporary Procedural Regulation No. 4 shall govern review of orders issued prior to March 1, 1943, and the provisions establishing such procedure are continued in effect for this purpose.

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3232; Filed, March 6, 1944;
11:52 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348; Amdt. 39]

CORDWOOD FOR MANUFACTURE OF FELT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 348 is amended by the addition of Appendix K, Table 3.

TABLE 3

Area.—Part or all of the States of Maryland, West Virginia, Kentucky and Ohio by zones as described below.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16115, 16198, 16204, 16297, 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 973, 1317, 1571, 1572, 1717, 2088, 2135.

Zone 1: The entire State of Maryland and the counties of Pendleton, Grant, Mineral, Hardy, Morgan, Hampshire, Berkeley and Jefferson in West Virginia.

Zone 2: Includes West Virginia north of (but not including) the counties of Wayne, Lincoln, Boone, Raleigh, Fayette and Greenbrier. Except the counties of Pendleton, Grant, Mineral, Hardy, Morgan, Hampshire, Berkeley and Jefferson.

Zone 3: Includes in West Virginia all counties south of and including the counties of Wayne, Lincoln, Boone, Raleigh, Fayette and Greenbrier.

Zone 4: The entire State of Ohio. In the State of Kentucky all counties north of and including the counties of Jefferson, Spencer, Anderson, Woodford, Jessamine, Fayette, Clark, Powell, Wolfe, Breathitt, Knott, Floyd and Martin.

Zone 5: The entire State of Indiana. The entire State of Illinois.

The entire State of Missouri.

In the State of Kentucky, all counties south of and including the counties of Bullitt, Nelson, Washington, Mercer, Garrard, Madison, Estill, Lee, Owsley, Perry, Letcher and Pike.

Species. All species of pine and hardwoods suitable for the manufacture of roofing felt and other felt products.

Scaling and grading rules. The basis for measurement shall be the standard cord containing 128 cubic feet. (For units of other sizes, see conversion table at beginning of Appendix K.)

Logs shall be cut into four or five-foot lengths as specified by the buyer and must be 4 inches and over in diameter. The maximum prices set forth below are for sound wood of standard quality. All trade practices and customs with respect to allowances for culs, for firekills, or for defective wood of any kind must be observed.

"Dealer's" definition. A "dealer" means any person who sells to consumers pine or hardwood cordwood suitable for the manufacture of roofing felt or other felt products which wood is not cut or prepared by the dealer but purchased by him in the condition in which it is to be delivered to the consumer.

"Banked wood" definition. "Banked wood" means wood which has been stored temporarily at a shipping point at the request of the buyer.

Maximum prices—Zone 1: \$9.60 per cord f. o. b. rail cars or banked at a barge landing. When loaded on barges by or at the expense of the seller, add \$1.00 per cord. When delivered to the consuming mill by truck, add \$2.40 per cord to the f. o. b. rail cars price.

Zone 2: \$8.80 per cord f. o. b. rail cars. When delivered to the consuming mill by truck add \$2.40 per cord to f. o. b. rail cars price.

Zone 3: \$8.00 per cord f. o. b. rail cars or delivered to mill by truck.

Zone 4: \$7.60 per cord f. o. b. cars. When delivered to the consuming mill by truck, add \$2.00 per cord to f. o. b. cars price.

	Per cord
Zone 5:	f. o. b. cars
Rough pine.....	\$6.80
Pealed pine.....	9.50
Rough hardwood.....	7.30
Pealed hardwood.....	10.00

If wood is banked at a rail siding at the buyer's request and is later loaded on the railway car at the seller's expense, an amount not in excess of 80 cents per cord may be added to the maximum price.

If wood is delivered to the mill by truck, the buyer and seller shall determine the total distance that wood has been hauled as well as the distance from the wood cutting operations to the nearest rail shipping point. The buyer may then add 5 cents per cord of 128 cubic feet for each load mile that the wood is hauled in excess of the distance to the nearest rail shipping point. (Thus if wood is hauled 30 miles to a mill from a zone

FEDERAL REGISTER, Tuesday, March 7, 1944

of operations which is 10 miles from a rail siding, the buyer may pay a trucking addition for the distance in excess of the distance to the rail siding or for 20 miles).

Deduction for non-delivery at points specified, all zones. When not delivered to the delivery points specified above, deduct from the f. o. b. rail cars price actual cost incurred by buyer in transporting and loading on rail cars or deduct from the delivered to mill prices the actual cost incurred by the buyer in delivering to the mill.

Dealer's Commission. When sold to a consumer by a dealer as defined above, add as follows:

Zone 1: 80 cents per cord.

Zone 2: 80 cents per cord.

Zone 3: 80 cents per cord.

Zone 4: 80 cents per cord.

Zone 5: In the States of Missouri, Illinois and Indiana, \$1.00 per cord, in Kentucky \$0.50 per cord.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3231; Filed, March 6, 1944;
11:53 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421, Amdt. 7]

WHOLESALE FOODS; MARINE PROVISIONERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 421 is amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) *What wholesalers are covered.* Your business is classified under this regulation if, prior to the effective date of the regulation you were and still are a wholesaler, the larger part of whose food sales are of food products which you purchase for resale and distribute from your warehouse without materially changing their form, to independent retail stores, or to commercial, industrial or institutional users. This regulation does not apply, however, to "wagon wholesalers" or "flour jobbers."

2. Section 2 (b) (4) is amended to read as follows:

(4) *Class 4; institutional wholesaler.* You are an institutional wholesaler if you are not in Class 1 and the larger part of your food sales were, prior to the effective date of this regulation, and still are made to commercial, industrial or institutional users. For the purposes of this regulation "marine provisioners" shall be considered institutional wholesalers. (If you do business in more than one of the ways outlined above, see sections 17, 18, 19, and 20.)

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9388, 10569, 10987, 13293, 15250, 15607, 17368, 17367.

3. Section 13 (c) is added to read as follows:

(c) On and after March 13, 1944, "marine provisioners" are made subject to this regulation. If you are a "marine provisioner", you must, by the opening of business on March 13, 1944, have figured your ceiling price in accordance with sections 3 and 4 for items which you have in stock at that time. For items which you do not have in stock at that time, you must figure your ceiling price in accordance with section 5. However, in doing so, you must substitute the date March 13, 1944, for the date August 5, 1943, whenever it appears in sections 3, 4 and 5.

4. Section 30 (f) is amended to read as follows:

(f) *"Marine provisioners".* A "marine provisioner" is a person, the larger part of whose food sales are of food products which he purchases for resale and distributes from a warehouse, without materially changing their form, to boat and steamship companies and ship operators for the provisioning of boats and ships, with delivery from shore locations by the use of truck or launch facilities.

This amendment shall become effective March 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3228; Filed, March 6, 1944;
11:52 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 291, Amdt. 2]

CERTAIN SYRUPS AND MOLASSES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 291 is amended in the following respect:

1. Section 2 (g) is added to read as follows:

(g) Customary differentials for sales of larger or smaller quantities than those for which maximum prices are specified in this regulation or for classes of purchasers other than those specified shall be continued.

2. Section 7 (c) (1) is amended to read as follows:

(1) Packers' maximum prices for country cane syrup delivered to the customary receiving point of the buyer in the southern zone shall be as follows:

\$5.16 per case of 6 No. 10 cans.
\$5.41 per case of 12 No. 5 cans.
\$5.66 per case of 24 No. 2½ cans.
\$6.13 per case of 48 No. 1½ cans.
\$4.16 per case of 24 No. 2 cans.
\$3.11 per case of 24 No. 1½ cans.

The "southern zone" includes the states of Georgia, Alabama, Florida,

¹ 8 F.R. 16508.

North Carolina and South Carolina. "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the syrup. The prices named include all transportation to that point. In each case the amount paid by the buyer for transportation plus the amount paid by the buyer to the seller shall not exceed the applicable maximum price for delivery at that point. In cases where the seller is dealing with the buyer for the first time after the effective date of this regulation, "delivered to the customary receiving point" means delivery to the buyers' place of business.

3. Section 7 (c) (2) is amended by deleting the word "commercial" which follows the word "carload" and precedes the word "lots".

4. The introductory text of section 9 (a) is amended to read as follows:

(a) *Procedure for calculating maximum prices.* A person shall calculate his maximum price for an item of syrup or molasses, prices for which are specified as packed in tin cans in this regulation when packed in containers other than tin cans in the following manner:

5. Section 19 is amended by deleting the word "before" which follows the word "or" and precedes the word "the" and inserting in its place the word "after".

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3219; Filed, March 6, 1944;
11:56 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR

VEHICLE EQUIPMENT

[RPS 85, Amdt. 14]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1360.59 of Revised Price Schedule 85 is amended as follows:

1. Paragraph (b) is amended to read as follows:

(b) "Retail dealer" means any person who sells automobiles other than a manufacturer, distributor or user.

2. Paragraph (d) is amended to read as follows:

(d) "Distributor" means any person who under a contract with an automobile manufacturer sells the manufacturer's automobiles to the manufacturer's franchised retail dealers at wholesale.

3. Paragraph (m) is added to read as follows:

(m) "Sale at retail" is a sale defined in paragraph (1) which is made by a user

¹ 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450, 2040, 3213.

or a retail dealer to any class of purchaser or which is made by a distributor to the public.

4. Paragraph (n) is added to read as follows:

(n) "Sale at wholesale" is a sale defined in paragraph (1) which is made by a manufacturer or distributor to a retail dealer or to another manufacturer or distributor.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3220; Filed, March 6, 1944;
11:53 a. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 516]

USED PHOTOGRAPHIC EQUIPMENT

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1366.3 Maximum prices for used photographic equipment. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 516 (Used Photographic Equipment) which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1366.3 issued under 56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 516—USED PHOTOGRAPHIC EQUIPMENT

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.

1. What to look for in this regulation.
2. Relation to the General Maximum Price Regulation.
3. Sales of used photographic equipment at higher than ceiling prices prohibited.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

4. Dollar and cents ceiling prices for certain specified used photographic equipment.
5. How to determine your ceiling price for items of used photographic equipment not listed in section 4.
6. How to find the price of the new item of used photographic equipment.
7. How to find the ceiling price for each class.
8. Guarantee.
9. Credit charges.

*Copies may be obtained from the Office of Price Administration.

Sec.

10. Tagging.
11. Area adjustments.

ARTICLE III—MISCELLANEOUS

12. Taxes.
13. Sales slips or receipts and records.
14. Evasion and enforcement.
15. Licensing.
16. Petitions for amendment.
17. Geographical coverage of this regulation.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. What to look for in this regulation. This regulation fixes retail ceiling prices for sales of all used photographic equipment. For the purpose of this regulation, used photographic equipment is divided into two classes, Class I and Class II. An item of used photographic equipment is a Class I item if (a) no part is missing which is necessary to make it fully useful and (b) it is in good working condition and can be used by the consumer for the purpose intended without further repairs. An item of used photographic equipment is a Class II item if it is not in Class I.

This regulation covers only used photographic equipment. It does not cover goods which have been sold new and which have been returned to the original seller who has refunded to the buyer the full purchase price. Sales at wholesale are still covered by the General Maximum Price Regulation.¹

This regulation covers all sales to consumers of used photographic equipment by any person to any other person including sales by consumers who are selling their own photographic equipment to other consumers, as well as sales at auction. Photographic equipment among other things, includes lenses, still cameras, movie cameras, movie projectors, enlargers, exposure meters, still film projectors, movie titlers and editors, photographic lighting equipment (flood-lights, spotlights, etc., stands and reflectors), developing and printing equipment, projection screens, and accessories designed for use with any of the foregoing.

SECTION 2. Relation to the General Maximum Price Regulation. This regulation, after its effective date, takes the place of the General Maximum Price Regulation for sales and deliveries of articles covered by this regulation.

SECTION 3. Sales of used photographic equipment at higher than ceiling prices prohibited. On and after April 6, 1944, regardless of any contract or other obligation, no person may sell or deliver to consumers any item of used photographic equipment at prices higher than the ceiling prices fixed by this regulation; nor may any person other than a consumer selling his own photographic equipment sell or deliver such photographic equipment unless the tag required by section 10 of this regulation is attached thereto. No person may offer, solicit, attempt, or agree to do any of the foregoing.

Prices lower than the ceiling prices may be charged, demanded, paid or offered.

¹ 8 F.R. 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SECTION 4. Dollars-and-cents ceiling prices for certain specified used photographic equipment. The following specified models of used photographic equipment have the dollars-and-cents ceiling prices established by this section. If any item of used photographic equipment is not listed in this section, your ceiling price for it must be determined by section 5 of this regulation.

CAMERAS

	Ceiling price to consumers	
	Class I	Class II
Agfa Memo:		
Miniature, 35 mm. Memar F:4.5, 1/200th.....	\$20.00	\$9.00
Memar F:3.5.....	27.75	12.25
Argus—Model C2—Rangefinder:		
Miniature, 35 mm.: Cintar F:3.5.....	29.75	13.25
Argus—Model C3—Rangefinder, synchronized flash unit:		
Miniature, 35 mm.: Cintar F:3.5.....	33.75	15.00
Argoflex—Model E:		
Twin lens reflex, 2 1/4 x 2 1/4": Varex F:4.5, Wollensak.....	33.50	15.00
Argus Colorcamer—Built-in Electric Exposure Meter:		
Miniature, 35 mm.: Argus F:4.....	26.75	12.00
Autoflex:		
Twin lens reflex, 2 1/4 x 2 1/4": Meyer Tripoplano F:2.9, Compur.....	44.75	20.00
Balda Baldax Square:		
Folding rollfilm, 2 1/4 x 2 1/4": Meyer Tripoplano F:2.9, Compur.....	42.00	18.75
Meyer Tripoplano F:2.9, Compur Rapid.....	48.00	21.25
Balda Baldaxette, Model II Rangefinder:		
Folding rollfilm, 2 1/4 x 2 1/4": Meyer Tripoplano F:2.9, Compur.....	74.25	33.00
Zeiss Tessar F:2.8, Compur.....	82.50	36.75
Zeiss Tessar F:2.8, Compur Rapid.....	88.25	39.25
Balda Super Baldina—Rangefinder—Chrome:		
Miniature, 35mm.: Meyer Tripoplano F:2.9, Compur.....	57.25	25.50
Meyer Tripoplano F:2.9, Compur Rapid.....	63.00	28.00
Zeiss Tessar F:2.8, Compur Rapid.....	78.50	35.00
Schneider Xenon F:2, Compur Rapid.....	80.50	35.75
Balda Jubillette:		
Miniature, 35mm. Meyer Tripoplano F:2.9, Compur.....	29.00	13.00
Balda Ricona:		
Folding rollfilm, 1 1/8 x 1 1/8": Schneider Radionar F:2.9, Prontor II.....	24.75	11.00
Bee Bee:		
Model A, plate—flimpack, 6.5 x 9 cm., Double Extension: Schneider Radionar F:4.5, Compur.....	45.50	19.75
Zeiss Tessar F:4.5, Compur.....	53.75	24.00
Meyer Tripoplano F:3, Compur.....	53.75	24.00
Schneider Xenar F:3.5, Compur Rapid.....	50.75	22.50
Meyer Tripoplano F:2.9, Compur.....	56.00	25.00
Zeiss Tessar F:3.5, Compur.....	66.00	29.25
Zeiss Tessar F:3.5, Compur Rapid.....	70.25	31.25
Model B, plate—flimpack, 9 x 12 cm., Double Extension:		
Schneider Radionar F:4.5, Compur.....	69.00	66.75
Schnneider Xenar F:4.5, Compur.....	62.00	27.50
Zeiss Tessar F:4.5, Compur.....	63.50	28.25
Schnneider Xenar F:3.5, Compur.....	91.50	40.75
Ciro-Flex:		
Twin lens reflex 2 1/4 x 2 1/4": Velostigmat F:3.5, Alphax.....	35.00	15.50
Dollina "O":		
Miniature, 35 mm.: Certar F:4.5, Vario.....	20.00	9.00
Certar F:2.9, Compur.....	23.25	10.25
Dollina II—Rangefinder:		
Miniature, 35 mm.: Schneider Radionar F:2.9, Compur Rapid.....	41.25	18.25
Schneider Xenar F:2.8, Compur Rapid.....	47.25	21.00
Zeiss Tessar F:2.8, Compur Rapid.....	51.75	23.00
Schneider Xenar F:2, Compur Rapid.....	60.00	26.75
Super Dollina—Rangefinder:		
Miniature, 35 mm.: Schneider Xenar F:2.8, Compur Rapid.....	66.00	29.25
Zeiss Tessar F:2.8, Compur Rapid.....	72.00	32.00
Schneider Xenar F:2, Compur Rapid.....	78.50	35.00

FEDERAL REGISTER, Tuesday, March 7, 1944

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Vest Pocket Dolly:		
Folding rollfilm, 1½ x 2½" or 1¾ x 1½ Friedrich Coryon F:3.5, Compur	\$19.50	\$8.75
Super Sport Dolly—Standard:		
Folding rollfilm, 2¼ x 2½" or 1½ x 2½:		
Meyer Triopian F:2.9 Compur	43.25	19.25
Schneider Xenar F:2.8, Compur	51.00	2.752
Zeiss Tessar F: 2.8, Compur	45.50	22.05
Super Sport Dolly—Rangefinder:		
Folding rollfilm, 2¼ x 2½" or 1½ x 2½:		
Schneider Xenar F:2.8, Compur	49.50	22.00
Schneider Xenar F:2.8, Compur Rapid	53.75	24.00
Zeiss Tessar F:2.8, Compur	57.75	25.75
Foto Derby—Model I:		
Rollfilm, 1½ x 1½", Focal Plane ½ooth	62.00	27.50
Foto F:3.5.	16.00	7.25
Foto F:2.5.	20.25	9.00
Foto Derby—Model II, Rangefinder:		
Rollfilm, 1½ x 1½", Focal Plane ½ooth		
Foto F:3.5.	25.50	11.25
Foto F:2.5.	29.75	13.25
Auto Graflex—Revolving back:		
Reflex, plate—film pack, 3½ x 4½": Kodak Anastigmat F:4.5	141.25	62.75
Bausch & Lomb Tessar F:4.5	142.00	63.00
Graflex—Series B—Stationary back:		
Reflex, plate—film pack, 5 x 7" Kodak Anastigmat F:4.5	150.75	67.00
Graflex—Series B—Revolving back:		
Reflex, plate—film pack 3½ x 4½": Kodak Anastigmat F:4.5	120.00	53.50
Bausch & Lomb Tessar F:4.5	120.75	53.75
Reflex, plate—film pack, 4 x 5": Kodak Anastigmat F:4.5	133.50	59.25
Bausch & Lomb Tessar F:4.5	134.50	59.75
National Graflex:		
Single lens reflex, rollfilm, 2½ x 2½" Bausch & Lomb Tessar F:3.5, ½ooth	73.25	32.50
Miniature Speed Graphic:		
Plate—film pack, 2½ x 3½": Kodak Ektar F:4.5	95.75	42.50
Kodak Ektar F:3.7	108.75	48.25
Speed Graphic—Anniversary Models:		
Plate—film pack, 3½ x 4½": Kodak Anastigmat F:4.5, barrel	97.25	43.25
Kodak Ektar F:4.7, supermatic	102.00	45.25
Plate—film pack, 4 x 5": Kodak Anastigmat F:4.5, barrel	104.00	46.25
Kodak Ektar F:4.7, supermatic	102.00	45.25
Bausch & Lomb Tessar F:4.5, barrel	104.75	46.50
Speed Graphic:		
Plate—film pack, 5 x 7": Kodak Anastigmat F:4.5, barrel	128.75	57.25
Bausch & Lomb Tessar F:4.5, barrel	129.75	57.75
Ihagee Vest Pocket Exakta Junior:		
Single lens reflex, 1½ x 2½", focal plane 1/500th:		
Ihagee F:4.5.	49.50	22.00
Ihagee F:3.5.	57.75	25.75
Ihagee Exakta Model B:		
Single lens reflex, 1½ x 2½", focal plane 1/1000th:		
Ihagee Exakta F:3.5.	82.50	36.75
Meyer Primotar F:3.5.	99.00	44.00
Zeiss Tessar F:3.5.	107.25	47.75
Zeiss Tessar F:2.8.	123.75	55.00
Meyer Primoplan F:1.9.	173.25	77.00
Schneider Xenon F:2.	173.25	77.00
Zeiss Biotar F:2.	239.25	106.25
Ihagee Kine Exakta:		
Single lens reflex, 35 mm.:		
Ihagee Exakta F:3.5.	107.25	47.75
Meyer Primotar F:3.5.	120.00	53.25
Zeiss Tessar F:3.5.	128.25	57.00
Zeiss Tessar F:2.8.	144.75	64.25
Kodak Bantam:		
Folding rollfilm, 1½ x 1½" Kodak Anastigmat F:4.5, Kodamatic (Special)	18.75	8.25
Kodak Bantam Special—Rangefinder:		
Folding rollfilm, 1½ x 1½" Kodak Ektar F:2, Supermatic, with case	87.00	38.75
Kodak Vigilant:		
Folding rollfilm, 2¼ x 3½": Kodak Anastigmat F:4.5, Kodamatic	20.00	9.00
Kodak Anastigmat Special F:4.5, Supermatic	30.00	13.25

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Kodak Vigilant—Continued:		
Folding rollfilm, 2½ x 4½": Kodak Anastigmat F:4.5, Kodamatic	\$23.25	\$10.25
Kodak Anastigmat Special, F:4.5, Supermatic	34.25	15.25
Kodak "35":		
Miniature, 35 mm.: Kodak Anastigmat F:4.5, Diomatic	19.50	8.75
Kodak Anastigmat F:3.5, Kodamatic	26.75	12.00
Kodak Ektar 24 x 36 mm.:		
Kodak Ektar:		
F:1.9 50 mm.	280.25	124.50
F:2.5 50 mm.	228.00	101.25
F:3.5 35 mm.	234.50	104.25
F:3.5 90 mm.	248.00	110.25
F:3.8 135 mm.	284.00	126.25
F:4.5 153 mm.	300.00	133.25
Kodak Medalist:		
2½ x 3½" Ektar F:3.5.	132.00	58.50
Kodak Monitor 620 2½ x 3½":		
Kodak Anastigmat F:4.5	24.00	10.75
Kodak Anastigmat Special F:4.5	34.25	15.25
Kodak Monitor 616 2½ x 4½":		
Kodak Anastigmat F:4.5	28.00	12.50
Kodak Anastigmat Special F:4.5	38.75	17.25
Super Kodak 620 2½ x 3½": Kodak Anastigmat Special F:3.5	180.00	80.00
Leica Standard Model:		
Miniature, 35 mm.: Elmar F:3.5, black	96.00	42.75
chrome	100.75	44.75
Leica Model II:		
Miniature, 35 mm., focal plane ½ooth:		
Elmar F:3.5, black	147.50	65.50
chrome	152.50	67.75
Leica Model III:		
Miniature, 35 mm.:		
Summar F:2, black	211.25	94.00
chrome	216.00	96.00
Leica Model IIIb:		
Miniature, 35 mm.:		
Summer F:2	225.50	100.25
Hektor F:2.5	187.25	83.25
Xenon F:1.5	309.50	137.50
Elmar F:3.5	182.50	81.00
Linhof Standard—Revolving Back:		
6.5 x 9 cm. (no lens)	99.00	44.00
Schneider Xenar F:4.5, Compur	120.00	53.25
Zeiss Tessar F:4.5, Compur	128.25	57.00
Schneider Xenar F:3.5, Compur	132.00	58.75
9 x 12 cm. (no lens)	176.25	78.25
Schneider Xenar F:3.5, Compur	243.75	108.25
10 x 15 cm. (no lens)	213.75	95.00
Schneider Xenar F:4.5, Compur	281.25	125.00
Zeiss Tessar F:4.5, Compur	300.00	133.25
Schneider Xenar F:3.5, Compound	300.00	133.25
5 x 7" (no lens)	255.00	113.25
Schneider Xenar F:4.5, Compound	337.50	150.00
Zeiss Tessar F:4.5, Compound	360.00	160.00
Schneider Xenar F:3.5, Compound	386.25	171.75
Linhof Technika—Four Way Swing Back:		
6.5 x 9 cm. (no lens)	140.25	62.25
Schneider Xenar F:4.5, Compur	161.25	71.95
Zeiss Tessar F:4.5, Compur	169.50	75.25
Schneider Xenar F:3.5, Compur	173.25	77.00
9 x 12 cm. (no lens)	169.50	75.25
Zeiss Tessar F:4.5, Compur	219.00	97.25
Schneider Xenar F:3.5, Compur	219.00	97.25
10 x 15 cm. (no lens)	198.00	88.00
Schneider Xenar F:4.5, Compur	247.50	110.00
Zeiss Tessar F:4.5, Compur	260.25	115.75
Schneider Xenar F:3.5, Compound	260.25	115.75
5 x 7", Swing lens board (no lens)	227.25	101.00
Schneider Xenar F:4.5, Compound	288.75	128.25
Zeiss Tessar F:4.5, Compound	305.25	135.75
Schneider Xenar F:3.5, Compound	321.75	143.00
Minox:		
Miniature, 9 mm., ½ x ½": Minox-Stigmat F:3.5, ½ooth	112.50	50.00
Perfex "22":		
Miniature, 35 mm., Focal plane 1/500th: Graf Scenar F:3.5	33.50	15.00
Perfex "55":		
Miniature, 35 mm.: Graf Scenar F:3.5	36.75	16.25
Wollensak F:3.5	43.25	19.25
Graf Scenar F:2.8	44.25	19.75
Wollensak F:2.8	52.25	23.25

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Pilot Super:		
Single lens reflex, 2½ x 2½" or 1½ x 2½": Focal plane ½ooth:		
K. W. F:3.5.....	\$38.75	\$17.25
K. W. F:2.9.....	47.75	21.25
Plaubel Makina II S—Standard outfit—Chrome—Rangefinder—Interchangeable lenses, in speed change mount:		
Folding rollfilm and plate, 2½ x 3½" or 1½ x 2½": Plaubel Anticomar F:2.9 and two supplementary lenses, Compur		
Plaubel Makina II S—Deluxe Outfit—Rangefinder—Interchangeable lenses:	227.25	101.00
As above with wide angle Plaubel: F:3.5, Plaubel Tele-Makinar F:4.8 and Accessories	453.75	201.75
Robot I:		
Miniature, 35 mm., 1 x 1": Meyer Primotar F:3.5.....	85.50	38.00
Zeiss Tessar F:2.8.....	115.50	51.25
Robot II—View Finder Within Body:		
Miniature, 35 mm., 1 x 1": Meyer Primotar F:3.5.....	96.75	43.00
Zeiss Tessar F:3.5.....	115.50	51.25
Zeiss Tessar F:2.8.....	126.75	56.25
Zeiss Triotar F:2.....	164.25	73.00
Rolleicord—Model Ia:		
Twin lens reflex, 2½ x 2½": Zeiss Triotar F:4.5, Compur	57.75	25.75
Rolleicord—Model II:		
Twin lens reflex, 2½ x 2½": Zeiss Triotar F:3.5, Compur	76.50	34.00
Rolleiflex 3 x 4 cm.:		
Twin lens reflex, 1½ x 1½": Zeiss Tessar F:2.8, Compur Rapid	105.00	46.75
Rolleiflex Standard:		
Twin lens reflex, 2½ x 2½": Zeiss Tessar F:3.5, Compur Rapid	117.75	52.25
Rolleiflex Automatic:		
Twin lens reflex, 2½ x 2½": Zeiss Tessar F:3.5, Compur Rapid	138.00	61.25
Univex Mercury—1/1000th:		
Miniature, ¾ x 12, Focal plane 1/1000th: Tricor F:3.5.....	22.25	10.00
Voigtlander Baby Bessa:		
Folding rollfilm, 2½ x 2½": Voigtlander Voigtar F:4.5, Prontor II D. A.	20.75	9.25
Voigtlander Bessa:		
Voigtlander Skopar F:4.5, Compur Rapid D. A.	34.00	15.25
Voigtlander Voigtar F:3.5, Compur Rapid D. A.	40.50	18.00
Voigtlander Voigtar F:4.5, Compur Rapid	30.50	13.50
Voigtlander Brilliant V-6:		
Voigtar F:4.5 Prontor	16.25	7.25
S. Kopal F:4.5 Compur Regular	20.75	9.25
Voigtar F:3.5 Compur Rapid	26.25	11.75
Zeiss Contax II:		
Miniature, 36mm, focal plane ½ooth:		
Zeiss Tessar F:3.5.....	157.50	70.00
Zeiss Tessar F:2.8.....	168.75	75.00
Zeiss Sonnar F:2.....	200.25	89.00
Zeiss Sonnar F:1.5.....	267.75	119.00
Zeiss Contax III:		
Miniature, 35 mm.:		
Zeiss Tessar F:3.5.....	189.00	84.00
Zeiss Tessar F:2.8.....	200.25	89.00
Zeiss Sonnar F:2.....	231.75	103.00
Zeiss Sonnar F:1.5.....	299.25	133.00
Zeiss Contaflex:		
Twin lens reflex, 35 mm., 1 x 1½": Zeiss Tessar F:2.8.....	200.25	89.00
Zeiss Tessar F:2.8.....	231.75	103.00
Zeiss Sonnar F:1.5.....	299.25	133.00
Zeiss Ideal B:		
Plate—film pack, 9 x 12 cm.: Zeiss Tessar F:4.5, Compur	90.00	40.00
Zeiss Ikonflex I:		
Twin lens reflex, 2½ x 2½": Novar F:3.5, Compur	54.00	24.00
Zeiss Ikonflex II—New style:		
Twin lens reflex, 2½ x 2½": Zeiss Tessar F:3.5, Compur Rapid	74.25	33.00
Zeiss Tessar F:3.5, Compur Rapid	94.50	42.00
Zeiss Ikonflex III:		
Twin lens reflex, 2½ x 2½": Zeiss Tessar F:2.8, Compur Rapid	164.25	73.00
Zeiss Ikonta A Special:		
Folding rollfilm, 1½ x 2½": Zeiss Tessar F:3.5, Compur Rapid	58.50	26.00
Zeiss Super Ikonta A Special:		
Folding rollfilm, 1½ x 2½": Zeiss Tessar F:3.5, Compur Rapid	96.75	43.00
Zeiss Ikonta B:		
Folding rollfilm, 2½ x 2½": Zeiss Tessar F:3.5, Compur Rapid	54.00	24.00

CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Zeiss Super Ikonta C Special:		
Folding rollfilm, 2 1/4 x 2 1/4": Zeiss Tessar F:2.8, Compur Rapid	\$132.00	\$58.75
Zeiss Super BX:		
Folding rollfilm, 2 1/4 x 2 1/4": Zeiss Tessar F:2.8, Compur Rapid	164.25	73.00
Zeiss Ikonta C Special:		
Folding rollfilms, 2 1/4 x 3 1/4" or 1 1/4 x 2 1/4": Zeiss Tessar F:3.5 Compur Rapid	49.50	22.00
Zeiss Super Ikonta C Special:		
Folding rollfilm, 2 1/4 x 3 1/4" or 1 1/4 x 2 1/4": Zeiss Tessar F:3.5 Compur Rapid	114.75	51.00
Zeiss Nettar A:		
Folding rollfilm, 1 1/4 x 2 1/4": Nettar F:4.5, Klio	22.50	10.00
Zeiss Tenax I:		
Miniature, 35 mm., 1 x 1" Novar F:3.5, Compur	45.00	20.00
Zeiss Tenax II:		
Miniature, 35 mm., 1 x 1": Zeiss Tessar F:2.8, Compur Rapid	128.25	57.00
Zeiss Sonnar F:2, Compur Rapid	155.25	69.00

MOVIE CAMERAS

	Class I	Class II
Bell & Howell Filmo Companion:		
8 mm., 4 speeds, Bell & Howell F:3.5	\$39.50	\$17.50
Bell & Howell Filmo Sportster: ~ 8 mm., 4 speeds, Taylor-Hobson F:2.5	55.50	24.75
Bell & Howell Filmo Aristocrat—Turret head:		
8 mm., 4 speeds, Taylor-Hobson F:2.5	87.50	39.00
Bell & Howell Filmo Model 70-DA—Turret head:		
16 mm., 7 speeds: Taylor-Hobson F:1.5	193.75	86.25
Taylor-Hobson F:2.7, focusing	163.25	72.50
Bell & Howell Filmo Model 70-E:		
16 mm., 4 speeds, Taylor-Hobson F:2.7, fixed focus	86.00	38.25
Bell & Howell Filmo Model 153 Auto Load—Magazine Loading:		
16 mm., Model 153-A, 4 speeds, Taylor-Hobson F:2.7, fixed focus	98.50	43.75
16 mm., Model 153-B, Speedster, 5 speeds:		
Bell & Howell Lumax F:1.9, focusing	110.50	49.00
Taylor-Hobson F:1.5, focusing	143.25	63.75
Bell & Howell Filmo Auto Master Turret—Magazine Loading:		
16 mm., 5 speeds, Taylor-Hobson F:2.7, fixed focus	162.50	72.25
Keystone Model K-8:		
8 mm., 3 speeds: Wollensak F:3.5, fixed focus	23.75	10.50
Wollensak F:2.7, fixed focus	31.25	14.00
Wollensak F:1.9, focusing	48.75	21.75
Keystone, Model A:		
A-3, 16 mm., 3 speeds: Wollensak F:3.5, fixed focus	32.00	14.25
Wollensak F:1.5, focusing	56.00	25.00
A-7, 16 mm., 7 speeds: Wollensak F:2.7, fixed focus	39.50	17.50
Wollensak F:1.5, focusing	59.00	26.25
Cine Kodak:		
Model 20, 8 mm., Kodak Anastigmat F:3.5, fixed focus	23.00	10.25
Model 25, 8 mm., Kodak Anastigmat F:2.7, fixed focus	32.75	14.50
Model 66, 8 mm., speeds 8-16, Kodak Anastigmat F:1.9, focusing	52.50	23.25
Cine Kodak Magazine Loading 8 mm.: Model 90, Kodak Anastigmat, F:1.9, focusing	76.25	34.00
Cine Kodak, 16 mm., Model K: Kodak Anastigmat F:1.9, focusing	61.25	27.25
Magazine Cine Kodak: 16 mm., 3 speeds: Kodak Anastigmat F:1.9, focusing	90.00	40.00
Revere Double Eight, Model 88: 8 mm., 5 speeds:		
Wollensak F:3.5, fixed focus	29.00	13.00
Wollensak F:2.5	39.50	17.50
Wollensak F:1.9	54.50	24.25
Revere Double Eight Turret Model 99:		
8 mm., 5 speeds 8-32: Wollensak F:2.5, fixed focus	58.25	26.00
Wollensak F:1.9	74.75	33.25
Revere Single Eight, Model CS: 8 mm., 5 speeds, Wollensak F:3.5, fixed focus	18.00	8.00

MOVIE CAMERAS—Continued

	Ceiling price to consumers	
	Class I	Class II
Victor, 16 mm.:		
Model 4, turret head, 5 speeds, Wollensak F:1.5, focusing	\$76.25	\$34.00
Model 5, turret head, 5 speeds, Wollensak F:1.5, focusing	118.25	52.50
Zeiss Ikon Movikon: 16 mm., 4 speeds, Zeiss Sonnar F:1.4.	288.75	128.25

MOVIE PROJECTORS

	Class I	Class II
Ampro Projector, Model A-8: 8 mm., 500 Watt, Simpson F:1.65	\$86.25	\$38.25
Ampro Projector, Model KD: 16 mm., 750 Watt, Simpson F:1.65	120.00	53.25
Ampro Projector, Model UC—Convertible to sound; 16 mm., 750 Watt, Simpson F:1.65	142.50	63.25
Ampro Projector, Model YC—Convertible to sound; 16 mm., 1,000 Watt, Simpson F:1.65	157.50	70.00
Bell & Howell Filmo Master Projector; 16 mm., 750 Watt, Bell & Howell F:1.6	127.25	56.50
Bell & Howell Filmo Diplomat Projector; 16 mm., 750 Watt, Bell & Howell F:1.6	158.50	70.50
Bell & Howell Filmo Auditorium Projector, Model 130; 16 mm., 1,200 Watt, Bell & Howell F:1.65 with case	330.00	146.75
Bolex Projector, Model G-8; 8 mm., 500 Watt or 750 Watt, Meyer Kinon Superior F:1.5 or SOM Berthiot F:1.5	206.25	92.50
Bolex Projector, Model G-16; 16 mm., 750 Watt, Meyer Kinon Superior F:1.5 or SOM Berthiot F:1.5	208.25	92.50
Bolex Projector, Model G-816; 8 mm., and 16 mm., 750 Watt, Meyer Kinon Superior F:1.5 or SOM Berthiot F:1.5	236.00	105.00
Keystone Projector, Model C-8: 8 mm., 200 Watt	22.25	10.00
Keystone Projector, Model CC-8: 8 mm., 300 Watt, F:1.85	27.50	12.25
Keystone Projector Model R-8: 8 mm., 500 Watt, F:1.85	47.00	21.00
Keystone Projector, Model CC-16: 16 mm., 300 Watt, F:2.5	27.50	12.25
Keystone Projector, Model A-75: 16 mm., 500 Watt, F:2.5	48.50	21.50
Keystone Projector, Model A-82: 16 mm., 750 Watt, Wollensak Auditorium, F:1.6	63.50	28.25
Kodascope Projector, Model 70 without case: 8 mm., 500 watt F:1.6	46.25	20.50
Kodascope Projector, Model 70-A without case: 8 mm., 500 Watt, F:1.6	53.75	24.00
Revere Projector, Model 80, Series B: 8 mm., 500 Watt, F:1.6	56.25	25.00
Victor Projector, Silent 16 Model 16 mm., 750 Watt, F:1.65	101.25	45.00

ENLARGERS

	Class I	Class II
All Quality DeLuxe: F 6.3 lens, easel-and-paper-box combination, and focusing negative	\$22.25	\$10.00
All Quality Universal: F 6.3 lens, easel-and-paper-box combination, and focusing negative	12.75	5.50
Bee Bee Model IV: Parastigmat lens	70.25	31.25
Bee Bee Model III:		
Vertical: 35 mm. to 6.5 x 9 cm.: 4/3 Parastigmat F 4.5 lens	49.50	22.00
Bee Bee Universal Rajak "O": 60 mm. Parastigmat: F 4.5 lens	26.75	12.00
Dejur Versatile I: 35mm. to 2 1/4 x 4 1/4": Velastigmat 2", F 4.5 lens	71.00	31.50
Dejur Versatile II: Up to 3/4 x 4 1/4": Eclips Model 125: Vertical: 35mm. to 2 1/4 x 3 1/4", F 6.3, 3 1/4" lens 4 stops	50.75	22.50
Eclips Model 160: Vertical: 35 mm. to 2 1/4 x 3 1/4": Itex Anastigmat F 6.3	20.25	9.00
Elwood Special SP-2: Vertical: 35 mm., to 5 x 7", 200 Watt Opal Bulb, without lens	13.50	6.00
Elwood Studio S-2: Vertical: 35 mm., to 5 x 7", 100 Watt Opal Bulb, without lens	180.00	80.00
Elwood Special SP-2: Vertical: 35 mm., to 5 x 7", 200 Watt Opal Bulb, without lens	62.50	27.75
Elwood Studio S-2: Vertical: 35 mm., to 5 x 7", 100 Watt Opal Bulb, without lens	38.50	17.00

ENLARGERS—Continued

	Ceiling price to consumers	
	Class I	Class II
Elwood Miniature—Model BM: 35 mm. to 1 1/2 x 2 1/4": Vertical: 100 Watt Opal Bulb; 32, without lens	\$14.50	\$6.50
Elwood Miniature—Model AM: 35 mm. to 2 1/4 x 3 1/4": Vertical: 100 Watt Opal Bulb, without lens	28.00	12.50
Kodak Advance Model 2: Vertical: 35 mm. to 3 1/4 x 5 1/4" and 4 x 5 F:11 lens	25.00	11.00
Kodak Auto-Focus—Model C: Vertical: takes up to 4 x 6", 130 mm. Kodak Anastigmat F:11 lens	38.75	17.25
Kodak Home Enlarger: Horizontal: Sizes 1/2 V. P. to 9 x 12 CM, 98 mm. Kodak lens	13.25	6.00
Kodak portable miniature: Enlarger: Vertical: 35 mm. and bantam sizes:		
F 4.5 Projection Ektar, case	48.00	21.25
F 4.5 Projection Anastigmat, case	40.00	17.75
F 3.3 Projection Anastigmat, case	34.00	15.25
Without lens or case	22.00	9.75
Kodak Precision: "a" Assembly: 35 mm. to 2 1/4 x 3 1/4", without lens	54.00	24.00
"b" Assembly: 4 x 5" without lens	71.50	31.75
Kodak transparency enlarger: 35 mm. and bantam film	14.75	6.50
16 mm. Model—similar to above	12.00	5.25
Leitz Focomat I: Vertical: 18 x 24 mm. to 4 x 4 cm., without lens	67.25	30.00
Leitz Focomat 110: Similar to Foco. I: 6.5 x 9 cm. film sizes Elmar F:4 lens	240.00	106.75
Leitz Valoy: Vertical: 18 x 24 mm. to 4 x 4 cm.; without lens	39.50	17.50
Leitz Vokom: Combined enlarger, projector, reading stand 100 watt bulb, without lens or easel	79.25	35.25
Leitz Vaser I: Vertical: 18 x 24 mm. to 6.5 x 9 cm: 95 mm. F:4 Elmar lens	140.50	62.50
Marvel Junior: Vertical: 1' x 1 1/2" to 2 1/4 x 3 1/4": 75 Watt enlarging bulb, Wollensak Velastigmat F:4.5 lens	18.75	8.25
Min larger for use with cameras: Vertical; use with 6 x 9 cm. camera	16.75	7.50
9 x 12 camera use	25.50	11.25
Omega:		
Model A for 35 mm., without lens	41.00	18.25
Model B, without lens	47.75	21.25
Super Omega B, without lens	71.00	31.50
Super Omega C, without lens	107.00	47.50
Omega C II, without lens	66.25	29.50
Omega D II, without lens	107.00	47.50
Solar:		
Model 35, F:4.5 lens	37.25	16.50
Model 33, without lens	29.75	13.25
Model 66, F:4.5 lens	42.50	18.75
Model 66, without lens	35.00	15.50
Model 120, F:4.5 lens	44.00	19.50
Model 120, without lens	36.50	16.25
Model 45, without lens	44.75	20.00
Model 45C, condenser type, without lens	58.25	25.75
Model 57, without lens	47.75	21.25
Universal Micrographic	24.00	10.75
Zeiss Magniphot, without lens	37.25	16.50

EXPOSURE METERS

Amato: Photoelectric type for still cameras: F:1 to F:4.8: 1/1000 sec. to 1 min. with case; full stops	\$11.25	\$5.00
DeJur Critic—Model 40: Photoelectric for still and motion: 1/2 stops from F:1 to F:32 1 min. to 1/1000 sec.	10.25	4.50
Super Electrophot: Still and motion: From F:1 to F:32 stops and 1/2 stop; 1 min. to 1/1000 sec.	14.50	6.50
General Electric: Model DW-48: Photoelectric type: F:1 to F:4.4; speeds 1/250 to 100 sec.	16.75	7.50
G-M Standard Models: still and motion photoelectric type; F:1 to F:32 by 1/2 stops	8.25	3.75
Lutrix Photoelectric: photoelectric type; F:1 to F:64—1/2 stops including cowhide case	11.25	5.00
Phaostron D	12.50	5.50
Photrix "SS": Photoelectric type meter for still and movie, F:1 to F:36—1/2 stops, 60 sec. to 1/2000 sec. speed	15.00	6.75
Photrix Cine: Photoelectric for motion, 6 to 128 frames sec. speed	17.00	7.50
R. H. S. Meter: Still or motion, with case	10.75	4.75

FEDERAL REGISTER, Tuesday, March 7, 1944

EXPOSURE METERS—Continued

	Ceiling price to consumers	
	Class I	Class II
Sears Marvel Deluxe: Photoelectric type, speed 2 min. to $\frac{1}{1250}$ sec.	\$14.25	\$6.25
Wards Supreme: Photoelectric type for still and motion, F:1 to F:32 by full stops.	8.25	3.75
Weston 715 Master: Photoelectric for still and motion speed 100 sec. to $\frac{1}{1250}$ sec.	19.25	8.50
Weston Model 720: Photoelectric type—movie use F:1 to F:22 reading.	19.25	8.50

STILL PROJECTORS

Argus Projector: 2 x 2" slides, 35mm. film strips; F:4 projection lens.	\$17.00	\$7.50
Argus Home Viewer Unit: 7 x 7" groundglass screen; six 35 mm. spools.	33.00	14.75
Bausch & Lomb: 2" x 2" slides.	25.25	11.25
Balopticon Overhead Model BOH: 3/4 x 4" slides, 5/8" F:3 lens; 500 watt bulb, with case.	56.25	25.00
Balopticon Model ERM: 14"-18" lenses; 500 watt prefocused bulb.	75.00	33.25
Balopticon Model LRM: 3/4 x 4" and 2 x 2" slides, 7" and 14" lenses; 500 watt prefocused bulb.	105.00	46.75
Film-Slide Master Projector: 2 x 2" slides; Choice of 3/4" F:4.5, 5" F:4.5, 7/8" F:4.8 lens, 750 watt lamp and case.	200.00	89.00
Golde Manumatic: 2 x 2" slides; 5" F:3.5 lens; without lamp.	34.25	15.25
Golde Super-Slide: 3/4 x 4" slides; 500 w projection lamp; 8" to 22" lenses.	20.75	9.25
Keystone S-25: 2 x 2" slides; 5" F:4.5 lens.	22.50	10.00
Kodaslide:		
Model 2, 2 x 2" slides; 5" lens; 100 w base bulb.	25.25	11.25
Model 2A, 2 x 2" slides; 5/8" F:3.5 lens; 150 watt lamp.	27.50	12.25
Leitz: Model VIII-5-300, 2 x 2" slides; 35mm. film; without lens.	51.75	23.00
Leitz-VIII-5-750: 750 watt bulb; without lens.	94.50	42.00
Novex: Combination viewer and projector, 2 x 2" slides; 6 x 6" viewing glass.	33.50	15.00
S. O. S. Combination: 2 1/4" x 3" slides; natural draft ventilation; without lens.	25.25	11.25
S. O. S. Stereopticon: 3/4 x 4" slides; 500 watt bulb; draft and fan ventilation; 6" focal length lens.	15.00	6.75
Spencer Auditorium Delineoscope: Model GK: 2 x 2" and 3/4" x 4" slides.	125.00	56.00
Spencer-NK 100: 2 x 2" slides; 35mm. film strips; 5" F:3.6 lens; metal slide carrier.	18.75	8.25
S. V. E.—Model AK: 2 x 2" slides; 5" Anastigmat F:3.6 lens; 300 watt lamp; with case.	41.25	18.25
S. V. E.—Model SA: 2 x 4 1/4" slides; 35mm. film; two 5" F:3.6 Anastigmats; with case.	112.50	50.00
S. V. E. Tri-Purpose: Model AAA: 2 x 2" slides and 35mm. film strips; 5" Anastigmat F:3.6 lens; with case.	48.75	21.75
Vokar Model C: 2 x 2" slides; 4" F:3.5 color-corrected lens; 100 watt lamp.	14.00	6.25

SEC. 5. How to determine your ceiling price for items of used photographic equipment not listed in section 4. The ceiling price for all items of used photographic equipment except those listed in section 4 shall be determined in the following manner:

(a) First, you must find the price of a new article (which is the same as or similar to, the used article which you are pricing) according to the rules in section 6.

(b) Second, you must find the class in which the used photographic equipment belongs. (Class I or Class II, see section 1.)

(c) You then find your ceiling price which is either three-quarters or one-third of the

price of the new article, depending upon the class in which the used item of photographic equipment you are pricing belongs.

SEC. 6. How to find the price of the new item. If you are a dealer in used photographic equipment, you find the price of the new item of photographic equipment by using these rules in the order in which they appear. If you are a consumer selling your own equipment to a consumer, you may not use rules 1, 2 or 3 but may only use rules 4, 5 and 6.

(a) **Rule 1.** Find the retail selling price in March 1942 for the same article, new, for sale in your own stock.

(b) **Rule 2.** If you did not have the same item of photographic equipment, new in your stock, find the manufacturer's retail list price in effect in March 1942 for the same item new.

(c) **Rule 3.** If you did not have the same item of photographic equipment new in your stock, and if there is no manufacturer's retail list price for the item, find the retail ceiling price of a similar item, new in your own stock. A used item of photographic equipment is similar to a new item if the used item when new would give fairly equivalent service and would have sold at approximately the same price as the similar article now sells for.

(d) **Rule 4.** If you do not have a similar article new in your own stock or if you are a consumer selling your own equipment, find the retail selling price in March 1942 for the same item new in the same shopping area. (Shopping area is the area in which persons in your community shop for new goods of the kind that you are pricing.)

(e) **Rule 5.** If the same article new was not for sale in the same shopping area, find the retail selling price in March 1942 of a similar item new for sale in the same shopping area. The used item of photographic equipment is similar to the new item if the used item when new would give fairly equivalent service and would have sold for approximately the same price as the similar new item now sells for.

(f) **Rule 6.** If you cannot find the retail selling price under any of these rules above, apply to your nearest District Office of the Office of Price Administration regarding the determination of your price.

Remember that if you can find the price of a new item in Rule 1, you cannot use Rules 2, 3, 4, 5, and 6. If you can use Rule 2, you cannot use Rules 3, 4, 5, and 6. If you can use 3, you cannot use 4, 5, or 6. If you can use Rule 4, you cannot use 5 or 6.

Any Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate regional office, may establish retail ceiling prices for used photographic equipment pursuant to Rule 6 of this section.

SEC. 7. How to find the ceiling price for each class. The ceiling price for any item of used photographic equipment except those listed in section 4 of this regulation shall be no more than:

Class I— $\frac{3}{4}$ (75%) of new
Class II— $\frac{1}{3}$ (33 1/3%) of new

Example for Class I. If the selling price of a new item of photographic equipment is \$40, you determine the ceiling price of the used item by multiplying \$40 by 3 and dividing the result by 4; 3 times \$40 is \$120; \$120 divided by 4 is \$30; \$30 is the ceiling price for the Class I used item of photographic equipment.

Example for Class II. The selling price of the new item of photographic equipment is \$30. To determine the ceiling price of the used item, you divide the \$30 by 3; \$30 divided by 3 is \$10. This is the ceiling price for the Class II used item of photographic equipment.

SEC. 8. Guarantee. If you are selling to a consumer any used item of photographic equipment which is sold as a Class I item, you shall furnish the buyer with a written guarantee. This requirement applies, whether you are a dealer or a consumer. The guarantee shall provide that for at least 30 days from the date of purchase, any part or workmanship which proves defective will be replaced or corrected without charge for labor or material.

You may not sell any item of used photographic equipment as a Class I item unless you also furnish the buyer with the above guarantee. If the above guarantee is not furnished the ceiling price of the item of used photographic equipment is the Class II price.

SEC. 9. Credit charges. Credit charges for the extension of credit may be added to the retail ceiling prices established by this regulation only to the extent permitted by this section.

(a) Sellers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of used photographic equipment or similar types of articles, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Sellers who did not so state and collect an additional charge may collect a charge for the extension of credit only on installment-plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by the seller's closest competitor who made such a separately stated charge.

An installment-plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (1) six weeks or more from the date of sale in the case of weekly installments, or (2) eight weeks or more in the case of other than weekly installments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this section, shall for the purposes of this regulation, be considered to be part of the price charged for the article sold.

(c) No seller may require as a condition of sale that the purchaser must buy on credit.

SEC. 10. Tagging. If you are a dealer in photographic equipment, you may not sell any item of used photographic equipment for which a maximum price of \$5.00 or more is established by this regulation, unless the appropriate tag or label described below is attached. A

consumer selling his own used photographic equipment need not tag such items. The tag or label must not be removed before delivery to the purchaser. The tag shall be a durable one and contain in easily readable lettering a statement in the following form, with the blanks properly filled in:

Name of article.....
 Lens.....
 OPA retail ceiling price.....
 Selling price.....
 Do not detach

SEC. 11. Area adjustments. Any Regional Office of the Office of Price Administration or such other office as may be authorized by the proper regional office, may by order adjust the ceiling prices for sales of used photographic equipment in any trading area or community within its jurisdiction if it is found that:

(a) The level of ceiling prices established by this regulation is substantially below the level of prices for used photographic equipment charged in the same community or trading area during March 1942.

(b) Such an adjustment will not create or tend to create a shortage of used photographic equipment in another community or trading area.

Until the ceiling prices are adjusted by order, the ceiling prices are the prices fixed by this regulation.

ARTICLE III—MISCELLANEOUS

SEC. 12. Taxes. Any tax upon or incident to the sale of any item of used photographic equipment imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof may be added to the ceiling prices established by this regulation, if the tax is quoted and billed separately.

SEC. 13. (a) Sales slips or receipts and records. If you have customarily given a customer a sales slip, receipt, or similar evidence of purchase, you shall continue to do so. Upon request, regardless of previous custom, you shall give a receipt showing the date, your name and address, a list of the articles sold and the prices paid, kind and amount of any additional charges, and the name and address of the customer.

(b) Records. If you sell an item of used photographic equipment in the course of trade or business, you shall keep, and make available for examination by the Office of Price Administration, your customary records of the transaction.

SEC. 14. Evasion and enforcement—(a) Evasion. You must not evade any of the provisions of this regulation by any scheme or device or by any practice which has the effect of getting a higher-than-ceiling price. This applies to devices making use of exchanges, "trades", commissions, transportation agreements, tying agreements, trade understandings and similar practices.

(b) Enforcement. On and after April 6, 1944, you are subject to the criminal penalties, civil enforcement actions license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as

amended, if you violate any provision of this regulation.

SEC. 15. Licensing. The provisions of Licensing Order No. 1,¹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. Petitions for amendment. You may seek a change in this Maximum Price Regulation No. 516 by filing a petition for amendment in accordance with the rules outlined in Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 17. Geographical coverage of this regulation. The provisions of this regulation apply to the forty-eight states and the District of Columbia.

This regulation shall become effective April 6, 1944.

NOTE: The record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3221; Filed, March 6, 1944;
11:55 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Corr. to Amdt. 101]

MILEAGE RATIONING: GASOLINE REGULATIONS

In § 1394.8102 (h) (4) in Amendment No. 101 to Ration Order No. 5C, the first word "we" in the third sentence is changed to read "he".

This amendment shall become effective March 10, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3229; Filed, March 6, 1944;
11:52 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,² Amdt. 14]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹9 F.R. 1326.

²8 F.R. 13240.

³9 F.R. 3, 104, 695, 574, 848, 765, 1393, 1727, 1817, 1908.

Revised Ration Order 13 is amended in the following respects:

1. Section 4.10 (a) is amended to read as follows:

(a) Whenever an item is added to the list of processed foods at the beginning of a reporting period, a wholesaler's maximum allowable inventory for the next four reporting periods (beginning with the period in which the item was added) is adjusted by adding to his maximum allowable inventory of processed foods the figure determined in the following way:

(1) The amount of that item which he sold or transferred during the reporting period preceding the period in which the item was added (less returns of that item during such period) is multiplied by the point value assigned to that item when it was added;

(2) The resulting figure is multiplied by the wholesale factor fixed for the reporting period in which the adjustment is made.

2. The first sentence of section 4.10 (b) is deleted and the following two sentences are substituted therefor:

(b) Whenever a wholesaler adjusts his maximum allowable inventory as described in paragraph (a) of this section, he must attach to each report in which the adjustment is made, a statement that the adjustment is made because of the addition of the item to the list of processed foods. Moreover, he must attach to his report for the period in which the item was added a statement showing:

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3222; Filed, March 6, 1944;
11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,² Amdt. 15]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of paragraph (b) of section 10.8 is redesignated subparagraph (2) by inserting (2) before the words "The person acquiring"; the present subparagraphs (1), (2) and (3) are redesignated (2) (i), (ii) and (iii) respectively; and

a new subparagraph (1) is added to read as follows:

(1) The person transferring the processed foods, point-free, must within five days after transferring them, report to the district office for the place where his principal business office is located:

(i) A description of the kinds and amounts of processed foods transferred. (If the condition of the foods makes it impossible for the transferor to describe them accurately, he may give an approximate description and state that the description is an approximation);

(ii) The name and address of the person to whom they were transferred; and

(iii) The date of transfer.

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3223; Filed, March 6, 1944;
11:53 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16;¹ Amdt. 111]

MEATS, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The text of paragraph (b) of section 11.10 is redesignated subparagraph (2) by inserting (2) before the words "The person acquiring"; the present subparagraphs (1), (2) and (3) are redesignated (2) (i), (ii) and (iii) respectively; and a new subparagraph (1) is added to read as follows:

(1) The person transferring the foods, point-free, must within five days after transferring them, report to the district office for the place where his principal business office is located:

(i) A description of the kinds and amounts of foods transferred. (If the condition of the foods makes it impossible for the transferor to describe them accurately, he may give an approximate description and state that the description is an approximation.);

(ii) The name and address of the person to whom they were transferred; and

(iii) The date of transfer.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695.

This amendment shall become effective March 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8230; Filed, March 6, 1944;
11:53 a. m.]

PART 1427—MAGNESIUM

[MPR 314;¹ Amdt. 5]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1427.51a is added to Maximum Price Regulation No. 314 to read as follows:

§ 1427.51a Maximum prices for magnesium powder, magnesium dust and similar materials—(a) Commodities covered. This section establishes maximum prices for magnesium powder, magnesium dust, and similar forms of magnesium whether sold as such or combined or mixed with oil, asphalt or other materials.

(b) Maximum prices. (1) A seller's maximum price for any commodity covered by this section shall be the highest net price charged by him for the same commodity on a delivery made during March 1942 to a purchaser of the same class.

(2) If no such delivery was made by the seller during March 1942 the seller's maximum price shall be his highest net offering price for delivery of the same commodity during March 1942, to a purchaser of the same class.

(3) Whenever any seller is unable to determine his maximum price under subparagraphs (1) and (2) above for any commodity covered by this section, his maximum price shall be determined as follows:

(i) If his maximum price for that commodity was determined prior to March 11, 1944 in accordance with the provisions of the General Maximum Price Regulation or if a maximum price for that commodity has been approved by the Office of Price Administration, that price shall be the seller's maximum price for that commodity.

(ii) In all other cases the seller shall determine the net price at which he expects to sell his commodity and shall then file such net price with the Office of Price Administration, Washington, D. C., within fifteen days after the first sale or delivery of the commodity that is made on or after March 11, 1944.

In so far as possible, the price submitted for approval shall be a price in line with other maximum prices established under this regulation.

Pending action by the Office of Price Administration on prices submitted for approval under this paragraph (b) (3) (ii), any such seller may sell or deliver and any person may buy, offer to buy or receive from such seller any such commodity at the price submitted for approval. If, however, the price submitted is disapproved the selling price shall be revised downward to the maximum price which shall be approved and any payment made in excess of the price so approved may be required to be refunded to the buyer within fifteen days after the date of the order establishing such revised price: *Provided*, That the price submitted by the seller for approval shall be deemed to be approved unless the Office of Price Administration specifically disapproves such price and establishes an approved price within fifteen days from the date on which the price submitted is received by the Office of Price Administration, or if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration. A price once approved shall thereafter be subject to adjustment (not to apply retroactively) by order issued by the Administrator.

When filing such a price with the Office of Price Administration, the seller shall set forth, in addition to the net price, his list price, and all discounts, allowances and differentials for all classes of buyers, a description and identification of the commodity, a statement of facts differentiating such commodity from the other commodities sold by the seller, a statement showing how the proposed price was determined, and a description of the use or uses for which the commodity is to be produced.

(c) Relation of this § 1427.51a to other sections in Maximum Price Regulation No. 314. (1) Section 1427.51 shall not apply to the commodities covered by this § 1427.51a.

(2) All other sections in Maximum Price Regulation No. 314 shall apply to the commodities covered by this § 1427.51a and any reference in those sections to magnesium and magnesium alloy ingot shall be deemed to refer also to the commodities covered by this § 1427.51a.

This amendment shall become effective March 11, 1944.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3224; Filed, March 6, 1944;
11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES
[RSR 15 to GMFR, Amdt. 21]

PLUG CHEWING TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.75 (a) is amended by adding a subparagraph to read as follows:

(13) *Plug chewing tobacco.* Any manufacturer of plug chewing tobacco may apply for adjustment of his maximum prices if it can be shown that such maximum prices subject him to substantial hardship in that:

(i) His over-all net profits for 1943 before all taxes on income are less than his average over-all net profits before such taxes during the period 1936–1939, inclusive; and

(ii) His maximum prices are less than the total of his costs of manufacturing and selling the plug chewing tobacco during the last 6-month period in 1943; and

(iii) There is no adequate alternative to the requested price adjustment, such as a reduction of his other operating costs.

Applications for adjustment under this subparagraph (13) shall contain the following information:

(a) Present and requested maximum prices.

(b) Description of applicant's business, including a list by major groups of all commodities manufactured.

(c) For 1943 a statement showing separately for plug chewing tobacco and the total of all other commodities manufactured, the net dollar sales volume before and after deduction of excise taxes.

(d) Total dollar manufacturing and selling costs of applicant's plug chewing tobacco operations during each 6-month period of 1942 and 1943, number of pounds of plug chewing tobacco produced and number of pounds of such tobacco sold during each such period, and a brief explanation of all expenses and cost increases during each such period.

(e) Annual profit and loss statements prepared according to the applicant's usual system of accounts, for 1936 to 1939, inclusive, and for 1943, unless such data have already been made available to the Office of Price Administration.

Any adjustment made may establish as the maximum price for the plug chewing tobacco a price approximating an

amount equal to the applicant's total cost of manufacturing and selling such tobacco. In connection with any such adjustment, the Office of Price Administration may also adjust the maximum prices of purchasers for resale.

The Office of Price Administration may authorize or deny by order the maximum prices requested. The authorization so granted may be revoked at any time by the Price Administrator.

This amendment shall become effective March 11, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3225; Filed, March 6, 1944;
11:56 a. m.]

TITLE 33—NAVIGATION AND NAVI-
GABLE WATERS

Chapter I—Coast Guard, Department
of the Navy

PART 8—REGULATIONS, UNITED STATES
COAST GUARD RESERVE

AVIATOR DESIGNATIONS

The regulations, United States Coast Guard Reserve, 1941 (33 CFR, 1941 Supp., Ch. 1, Part 8) as amended (8 F.R. 14857), are hereby further amended to read as follows:

§ 8.1612 Coast Guard aviator designations. Aviation designations of reservists shall be made by the Commandant. A commissioned, chief warrant, or warrant officer who has satisfactorily qualified may be designated a student Coast Guard aviator, a Coast Guard aviator, a student Coast Guard aviation observer, or a Coast Guard aviation observer. An enlisted person may be designated a student Coast Guard aviation pilot or a Coast Guard aviation pilot. The Commandant will issue the reservists concerned a certificate of designation. (39 Stat. 601; 14 U.S.C. 29, 55 Stat. 9, 14 U.S.C. Sup., Chapter 9; secs. 1, 2, 7, 55 Stat. 759, 760; 34 U.S.C., Sup., 841a, 841g)

§ 8.1612a Coast Guard student aviation pilots. A regular enlisted member of the Coast Guard Reserve may be designated as a Coast Guard student aviation pilot only if he has made application for flight training leading to designation as aviation pilot and if the Commandant finds that he is physically and psychologically qualified for flight training, that he has been recommended for such flight training by his commanding officer, and that he has complied with such other supplementary requirements as the Chief Personnel Officer may make for the good

of the service. (Sects. 1, 7, 55 Stat. 759, 760; 34 U.S.C., Sup., 841a, 841g)

§ 8.1612b Coast Guard aviation pilots. To be designated as a Coast Guard aviation pilot, a Coast Guard student aviation pilot must successfully complete the prescribed flight training for student aviation pilots. (Sec. 2, 7, 55 Stat. 759, 760; 34 U.S.C., Sup., 841b, 841g)

§ 8.1612c Confirmation of previous designations. Any designation as Coast Guard student aviation pilot or as Coast Guard aviation pilot issued by the Commandant to an enlisted reservist on or after 5 November, 1941, is hereby confirmed and all such designations are adopted under these Regulations for all purposes and shall be effective as of the date specified thereon. (Sects. 1, 7, 55 Stat. 759, 760; 34 U.S.C., Sup. 841a, 841g).

§ 8.1612d Free Government life insurance. The Commandant shall take such steps as may be necessary to arrange for the issuance of insurance and payment therefore, in accordance with section 6 of the act of 5 November, 1941, Ch. 468, 55 Stat. 760, to the enlisted personnel of the Coast Guard Reserve designated as Coast Guard student aviation pilots or as Coast Guard aviation pilots under these regulations, as amended, including those confirmed in such designations by § 8.1612c hereof. (Sects. 1, 6, 7, 55 Stat. 759, 760; 34 U.S.C., Sup., 841a, 841f, 841g)

R. R. WAESCHE,
Vice Admiral, Commandant.

Approved: March 2, 1944.

FRANK KNOX.

[F. R. Doc. 44-3173; Filed, March 6, 1944;
10:35 a. m.]

Chapter II—Corps of Engineers, War Department

PART 206—FISHING AND HUNTING REGU-
LATIONS

APPROVED FISHING AREAS, HUDSON RIVER,
NEW YORK AND NEW JERSEY

The areas in Hudson River, New York and New Jersey, approved by the Secretary of War on February 23, 1940 (5 F.R. 989), amended June 6, 1940 (5 F.R. 2429), and May 28, 1943 (8 F.R. 7601), as areas within which shad nets, poles, and other fishing structures may be permitted pursuant to regulations approved therefor by the Secretary of War, are further amended as described below:

§ 206.45 Hudson River, N. Y. and N. J., south of Stony Point, Stony Point, N. Y.; fishing. * * *

(c) The areas in Hudson River, New York and New Jersey, described below, are recommended by the Chief of Engineers and approved by the Secretary of War as areas within which shad nets, poles, and other fishing structures may be permitted, pursuant to regulations approved therefor by the Secretary of War.

*Copies may be obtained from the Office of Price Administration.

FEDERAL REGISTER, Tuesday, March 7, 1944

(9) *Area No. 8.* An area along the westerly side of the river between Rockland Lake Landing, New York, and Bowline Point, New York, shoreward of straight lines joining the following points:

Point No.	Latitude	Longitude
48.	41°08'56"	73°54'22.5"
49a.	41°09'53"	73°55'06"
50.	41°11'12"	73°56'45"
51b.	41°12'14.2"	73°57'19.2"
51.	41°12'15"	73°57'28"

(Sec. 10, River and Harbor Act, 3 March 1899, 30 Stat. 1511, 33 U.S.C. 403) [Regs. 23 Feb. 1940 (E.D. 7221 (Hudson R.) 13/14 and 13/16 as amended 24 February 1944, CE 800.217 (Hudson River, N. J., N. Y.)—SPEWR]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-3159; Filed, March 3, 1944;
5:08 p. m.]

TITLE 47—TELECOMMUNICATION Chapter I—Federal Communications Commission

PART 63—RULES RELATING TO SECTION 214 EXTENSION OF LINES, CONSTRUCTION OF NEW LINES, ETC.

Attention is directed to the following error in the document which appeared in the Wednesday, February 23, 1944 issue of the *FEDERAL REGISTER* on page 2095:

The second sentence of § 63.06 *Authority for supplementing facilities under approved annual program plan* should read: "After approval * * * in lieu of filing separate applications for individual projects pursuant to §§ 63.01 and 63.03."

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3165; Filed, March 4, 1944;
3:46 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Com- mission

[No. 3666]

PARTS 72, 73, 75—TRANSPORTATION OF EXPLOSIVES¹

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of February, A. D. 1944.

¹ Parts 2 and 3 in this order appear in CFR as Parts 72, 73, and 75.

In the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, that amendments involved in said applications, hav-

Hydrofluoric acid, anhydrous	Cor. L.	No exemption, 264...	White...	110 pounds.
Insecticide, liquefied gas	Noninf. G.	302, 303...	Green...	300 pounds.

Part 3—Regulations Applying to Shippers (CFR 75)

Superseding and amending paragraph (f) (1), section 113, order Oct. 28, 1942, to read as follows (packing paints, etc.—exemptions):

(f) (1) Because of the present emergency and until further order of the Commission, paint, varnish and lacquer may be shipped under the conditions prescribed in section 113 (f) in containers not exceeding 1 gallon capacity with fiberboard bodies and metal tops and bottoms made leakproof in lieu of glass, earthenware, or metal containers as specified.

Appendix to Part 3—Shipping Container Specifications (CFR 72)

Superseding and amending note following paragraph 19 (c), spec. 3A, order Mar. 31, 1941, to read as follows:

NOTE: Lot numbers, not over 500 cylinders in each lot, authorized for cylinders not over 2 inches outside diameter or having a volumetric capacity not to exceed 40 cubic inches.

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after February 24, 1944, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-3128; Filed, March 3, 1944;
11:10 a. m.]

ing been considered and found to be in accord with the best-known practicable means for securing safety in transit and with the need therefor for promoting safety of operation and standards of equipment used in the transportation of said dangerous articles:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Part 2—List of Explosives and Other Dangerous Articles (CFR 73)

Superseding and amending list, section 4, order Aug. 16, 1940, as follows:

By changing and adding, respectively:

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof. Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the *FEDERAL REGISTER* as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regula-

tions, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Adminis-

trative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Allen Manufacturing Company, 317 W. Adams Street, Chicago, Illinois; ladies' sportswear; 5 learners (T); effective March 2, 1944, expiring March 1, 1945.

Johnson & Company, 100 S. Minnesota Avenue, St. Peter, Minnesota; men's and boys' overalls, coveralls, lined coats, shop coats; 10 learners (T); effective March 2, 1944, expiring March 1, 1945.

Kings Dresses, 8 West Union Street, Kingston, New York; rayon dresses and cotton rayon dresses; 10 percent (T); effective March 3, 1944, expiring March 2, 1945.

Little Tots Dress Company, Inc., 123 Pike Street, Port Jervis, New York; infants' dresses and creepers; 5 learners (T); effective March 2, 1944, expiring March 1, 1945.

Outdoor Frocks, Inc., Philmont, New York; cotton dresses; 10 percent (T); effective February 29, 1944, expiring February 28, 1945.

Philley Manufacturing Company, 5 Lafayette Street, Valparaiso, Indiana; women's cotton household aprons; 10 learners (T); effective March 6, 1944, expiring March 5, 1945.

Seaford Garment Company, Phillips Street, Seaford, Delaware; men's sport service shirts; 10 percent (T); effective March 2, 1944, expiring March 1, 1945.

Shenandoah Manufacturing Company, Washington and Bower Streets, Shenandoah, Pennsylvania; ladies' dresses and blouses; 10 percent (T); effective February 29, 1944, expiring February 28, 1945.

GLOVE INDUSTRY

Richmond Glove Corporation, 306 Salem Avenue, West Roanoke, Virginia; work gloves; 10 learners (AT); effective February 28, 1944, expiring August 27, 1944.

HOSIERY INDUSTRY

Clarke Hosiery Mill, Collinsville, Alabama; full-fashioned hosiery; 30 learners (E); effective February 29, 1944, expiring August 28, 1944.

Gold Seal Hosiery Company, Inc. 1003 Spain Street, New Orleans, Louisiana; seamless hosiery; 4 learners (T); effective March 5, 1944, expiring March 4, 1945.

B. C. & C. W. Mayo, Tarboro, North Carolina; seamless hosiery; 5 percent (T); effective February 28, 1944, expiring February 27, 1945.

No. 47—6

MILLINERY INDUSTRY

Schubach Millinery Company, Inc., 1837 Dayton Avenue, St. Paul, Minnesota; ladies' hats (popular priced); 1 learner (T); effective February 28, 1944, expiring August 27, 1944.

TEXTILE INDUSTRY

Dwight Manufacturing Company, Alabama City, Alabama; cotton; 3 percent (T); effective March 9, 1944, expiring March 8, 1945.

Plaza Mills, Beavertown, Pennsylvania; rayon dress goods; 3 percent (T); effective March 2, 1944, expiring March 1, 1945.

Signed at New York, N. Y., this 4th day of March 1944.

PAULINE C. GILBERT,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 44-3208; Filed, March 6, 1944;
11:15 a. m.]

320 hours and 35 cents per hour for the next 160 hours; effective February 28, 1944, expiring August 28, 1944.

Nord-Buffum Pearl Button Company, 101 So. Carolina Street, Louisiana, Missouri; fresh water pearl buttons; 3 learners (T); cutter, finished button sorter for a learning period of 480 hours and automatic machine operator for a learning period of 160 hours; cutter and finished button sorter at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; automatic machine operator at 30 cents per hour; effective March 2, 1944, expiring September 2, 1944.

Signed at New York, N. Y., this 4th day of March 1944.

PAULINE C. GILBERT,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 44-3209; Filed, March 6, 1944;
11:15 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 13-401-B-1, 418, 527, 597, 598, 658, 697, 881, 882, 908, 909, 371 and 375]

NORTHEAST AIRLINES, INC., ET AL.

NOTICE OF ORAL ARGUMENT

Northeast Airlines, Inc.; Transcontinental & Western Air, Inc.; Colonial Airlines, Inc.; American Airlines, Inc.; Seaboard Airways, Inc.; Eastern Air Lines, Inc.; United Air Lines, Inc.

In the matter of applications for certificates and for amendments of certificates of public convenience and necessity proposing new air transportation services between New York and Boston and Boston and Cleveland and Pittsburgh.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Huse Publishing Company, 116 North 4th Street, Norfolk, Nebraska; Printing and Publishing; 7 learners (T); Linotype Operator, Hand Compositor, Makeup Man, Proof Reader, Pressman, Photo Engraver and Bindery Worker for a learning period of 480 hours; Linotype Operator, Hand Compositor, Makeup Man, Proof Reader, Pressman, Photo Engraver at 30 cents per hour; Bindery Worker at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; effective February 29, 1944, expiring August 29, 1944.

Kansas Bank Note Company, 5th and Jefferson Streets, Fredonia, Kansas; Printing & Publishing; 4 learners (T); bindery girl, platen press feeder for a learning period of 480 hours at 30 cents per hour for the first

[F. R. Doc. 44-3218; Filed, March 6, 1944;
11:28 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-437 and G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

MARCH 2, 1944.

Upon consideration of the following applications which were filed by Panhandle Eastern Pipe Line Company ("Applicant") for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

FEDERAL REGISTER, Tuesday, March 7, 1944

(a) Application filed December 10, 1942 (Docket No. G-437) for authority to construct and operate a 2-inch natural-gas transmission pipe line approximately 1½ miles in length, extending from a point on Applicant's Michigan West Line in Calhoun County, Michigan, in a northerly direction to the city limits of Albion, Michigan, and appurtenant facilities necessary for the operation of the line, and for the transportation and sale of natural gas to The Albion Gas Light Company for distribution and resale in the city of Albion; and

(b) Application filed January 28, 1944 (Docket No. G-521) for authority to construct and operate a 3½ inch natural-gas transmission pipe line, approximately 2.7 miles in length, extending in a north-easterly direction from a point on Applicant's Michigan West Line in Calhoun County, Michigan, to a point near the city limits of Albion, Michigan, and appurtenant facilities necessary for the operation of the line, in order to transport and deliver natural gas to the Albion Malleable Iron Company in the city of Albion, Michigan; and

It appearing to the Commission that:

(1) The Commission, by its order adopted March 27, 1943, in the Matter of Panhandle Eastern Pipe Line Company, Docket No. G-437, issued a temporary certificate of public convenience and necessity to Applicant authorizing the construction and operation of the facilities described in paragraph (a) above;

(2) On February 18, 1944, The Albion Gas Light Company filed a petition in opposition to the proposed construction and operation referred to in paragraph (b) above, requesting that it be permitted to intervene in Docket No. G-521;

(3) The Commission, by its order adopted this day has permitted The Albion Gas Light Company to intervene in these proceedings;

(4) The above-entitled proceedings may involve substantially similar issues and facts;

(5) Good cause exists for consolidating the above proceedings for purposes of hearing;

The Commission orders that:

(A) The above-entitled proceedings be and they are hereby consolidated for purposes of hearing;

(B) A public hearing be held, commencing on March 24, 1944, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, NW., Washington, D. C., respecting the matters involved and the issues presented in these proceedings;

(C) Interested State Commissions may participate in this hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-3144; Filed, March 4, 1944;
9:46 a. m.]

[Docket No. G-522]

MEMPHIS NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

MARCH 4, 1944.

Upon consideration of the application filed on January 31, 1944, by the Memphis Natural Gas Company, a Delaware corporation having its principal place of business at 931 Sterick Building, Memphis, Tennessee, for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of an 18-inch loop line approximately 61 miles long, paralleling its existing natural-gas transmission pipe-line system in Chicot County, Arkansas, and Bolivar, Coahoma and Tunica Counties, Mississippi, including tie-ins and appurtenant facilities;

The Commission orders that:

(A) A public hearing be held commencing on March 15, 1944, at 9:45 a. m., in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-3169; Filed, March 6, 1944;
10:23 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 164, 3d Amended Gen. Permit 9]

REFRIGERATION OF CITRUS FRUITS IN DESIGNATED CITIES AND STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To receive once in transit to full bunker capacity at any point in the States of Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, Texas, Kansas, or Missouri or at East St. Louis, Illinois, Council Bluffs, Iowa, Memphis, Tennessee, or Jackson, Mississippi, refrigerator cars loaded with citrus fruits originating in Arizona, California and Texas. This receiving shall be in addition to the replenishing service at the first regular icing station, provided in Amended General Permit No. 8 Under Service Order No. 164.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., March 3, 1944, and shall expire at 12:01 a. m., April 1, 1944.

A copy of this permit has been served upon the Association of American Rail-

roads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3170; Filed, March 6, 1944;
10:35 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 180]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN MIDLAND AND SAGINAW, MICH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2, and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully per-

¹ Filed as part of the original document.

missible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier or alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX I

David C. Doyle, doing business as Doyle Freight Lines, 142 Davenport Street, Saginaw, Mich.

Blair Transit Company, a corporation, 142 Davenport Street, Saginaw, Mich.

Northern Motor Express Inc., 303 West Genesee Avenue, Saginaw, Mich.

[F. R. Doc. 44-3145; Filed, March 4, 1944;
11:19 a. m.]

[Supp. Order ODT 3, Rev. 182]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority

of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,

Office of Defense Transportation.

APPENDIX 1

1. Urban J. Haas and Cyril H. Wissel, a partnership, doing business as H & W Motor Express Company, 3000 Jackson Street, Dubuque, Iowa.

2. The Rock Island Motor Transit Company, a corporation, Chicago, Ill.

[F. R. Doc. 44-3146; Filed, March 4, 1944;
11:18 a. m.]

[Supp. Order ODT 3, Rev. 184]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KANSAS CITY, MO., AND POINTS IN KANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

¹ Filed as part of the original document.

FEDERAL REGISTER, Tuesday, March 7, 1944

cessful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Divi-

sion of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Roland H. Kinney (an individual), doing business as Mohawk Freight Lines, 939 West Eighth Street, Kansas City, Mo.

The Santa Fe Trail Transportation Company (a corporation), 419 West Second Street, Wichita, Kans.

[F. R. Doc. 44-3147; Filed, March 4, 1944; 11:18 a. m.]

[Supp. Order ODT 3, Rev. 185]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN MASSACHUSETTS AND RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

¹ Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Henry Jenkins Transportation Co., Inc. (a corporation), 32 Regis Road, Mattapan, Mass.

2. Roy E. Moulton (an individual), doing business as Moulton and Holmes, 1033 Massachusetts Avenue, Boston, Mass.

3. R. S. Brine Transportation Co. (a corporation), 194 West First Street, Boston, Mass.

[F. R. Doc. 44-3148; Filed, March 4, 1944; 11:18 a. m.]

[Supp. Order ODT 3, Rev. 189]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN MISSOURI AND ILLINOIS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4680, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing inter-

state or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 4th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Yellow Cab Transit Co., a corporation, doing business as Yellow Transit Company, 311 South Western Avenue, Oklahoma City, Okla.

2. Decatur Cartage Co., a corporation, 20th and Wenworth Streets, Chicago, Ill.

[F. R. Doc. 44-3149; Filed, March 1, 1944; 11:19 a. m.]

[Supp. Order ODT 20A-75]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE TULSA,
OKLA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tulsa, Oklahoma, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the suc-

cessful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of section 4, paragraphs (e) and (f) which are disapproved. The operators are directed to place the plan, to the extent it is approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. No supervisor, checker or other person employed by the operators shall use coercive methods in effectuating compliance with the plan, and such supervisor, checker or other person shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

¹ Filed as part of the original document.

FEDERAL REGISTER, Tuesday, March 7, 1944

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-75" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma.

8. This order shall become effective March 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

A & A Investment Company d/b/a Peoples Cab Company, 724 South Main Street, Tulsa, Okla.

Acme Cab Company, 10½ East First Street, Tulsa, Okla.

Clover Leaf Cab Company, 321 South Cincinnati, Tulsa, Okla.

Yellow Cab Company, 16 North Boston, Tulsa, Okla.

[F. R. Doc. 44-3206; Filed, March 6, 1944; 10:55 a. m.]

[Supp. Order ODT 20A-76]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE TULSA,
OKLA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tulsa, Oklahoma, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved with the exception of section 4, paragraphs (e) and (1) which are disapproved. The operators are directed to place the plan, to the extent it is approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. No supervisor, checker or other person employed by the operators shall use coercive methods in effectuating compliance with the plan, and such supervisor, checker or other person shall report to the Office of Defense Transportation all violations of orders issued by

the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-76" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Tulsa, Oklahoma.

8. This order shall become effective March 13, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Alphonzo Williams d/b/a Your Cab Company, 517 East Brady, Tulsa, Okla.

A. E. Reddick d/b/a Sunset Cab Company, 118 North Greenwood, Tulsa, Okla.

[F. R. Doc. 44-3207; Filed, March 6, 1944; 10:55 a. m.]

[Special Order ODT B-31, Amdt. 1]

BUS LINES

COORDINATED OPERATION BETWEEN AMARILLO,
TEX., AND ALBUQUERQUE, N. MEX.

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and an amendment thereto, filed with the Office of Defense Transportation by New Mexico Transportation Company, Inc., Roswell, New Mexico, and Southwestern Greyhound Lines, Inc., Fort Worth, Texas, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F. R. 4389, 11099; 8 F.R. 12028), *It is hereby ordered, That:*

Paragraph 2 of Special Order ODT B-31 (7 F.R. 9367) be and it is hereby amended to read as follows:

Unless first authorized by the Director Division of Local Transport, Office of Defense Transportation, through service on the routes served by the carriers between Amarillo, Texas, and Albuquerque, New Mexico, shall not exceed three round trips daily by New Mexico Transportation Company, Inc., and two round trips daily by Southwestern Greyhound Lines, Inc.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3202; Filed, March 6, 1944; 10:54 a. m.]

[Supp. Order ODT 3, Rev. 186]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DETROIT,
MICH., AND AKRON, OHIO

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,¹ and

it appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

¹ Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for

examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

1. Caldwell Motor Freight, Inc., 800 23d Street, Detroit, Mich.

2. Hollywood Cartage Company, Inc., 5858 Plumer Street, Detroit, Mich.

[F. R. Doc. 44-3203; Filed, March 6, 1944;
10:54 a. m.]

[Supp. Order ODT 3, Rev. 187]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN DETROIT AND FLINT, MICH.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which

¹ Filed as part of the original document.

purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Inter-City Trucking Service, Inc., 1800 Abbott Street, Detroit, Mich.

Philip Bertram Genger, doing business as John Wahl Cartage, 1800 Abbott Street, Detroit, Mich.

[F. R. Doc. 44-3204; Filed, March 6, 1944;
10:54 a. m.]

[Supp. Order ODT 3, Rev. 188]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN WASHINGTON

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4680, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,¹ and

¹ Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier

subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

C. A. Jones and Ralph K. Birum, a partnership, doing business as Jones and Birum Motor Freight, 315 Main Street, Puyallup, Wash.

John M. Carlson, an individual, doing business as Tacoma-Fort Lewis Auto Freight, 808 Puyallup Ave., Tacoma, Wash.

Frank Douglas and Edith Douglas, a co-partnership, doing business as Tacoma-Rainer Auto Freight, 808 Puyallup Ave., Tacoma, Wash.

Interurban Auto Freight Company, Inc., a corporation, 323 Puyallup Ave., Tacoma, Wash.

Inter-City Auto Freight, a corporation, 301 Puyallup Ave., Tacoma, Wash.

Mountain Road Auto Freight Co., Inc., a corporation, 533 Puyallup Ave., Tacoma, Wash.

Otto Therkelsen, an individual, doing business as Therkelsen Auto Freight, 523 Puyallup Ave., Tacoma, Wash.

[F. R. Doc. 44-3205; Filed, March 6, 1944; 10:55 a. m.]

Issued and effective this 4th day of March 1944.

COLONEL BRYAN HOUSTON,
*Deputy Administrator
in Charge of Rationing.*

[F. R. Doc. 44-3166; Filed, March 4, 1944; 3:55 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Exception Order 20 Under RO 17]

REPATRIATES RETURNING TO THE UNITED STATES

APPLICATION FOR SPECIAL SHOE STAMP

The petitioners in this case are repatriates who are returning to the United States. Many of them returning to the United States on the S. S. Gripsholm and similar ships have no wearable shoes. The currently valid shoe ration stamp contained in War Ration Book Three, which will be issued to such persons on their arrival in the United States, will not be sufficient to satisfy their needs for shoes until the next war ration shoe stamp becomes valid. Under Ration Order 17 a person that has need for shoes and who does not have a war ration shoe stamp may apply to his local board for a special shoe stamp. As most of the repatriates returning to the United States have been living abroad for the past several years, they are not familiar with the rationing system in the United States. In order to enable such persons to obtain the needed ration currency more quickly and save them much inconvenience, it is requested that the District Office nearest the port of entry be authorized to issue special shoe stamps to the repatriates who do not have sufficient war ration shoe stamps to obtain the shoes they need.

The relief requested in this case can be granted without defeating or impairing the effectiveness of the policy of Ration Order 17.

It is hereby ordered, That the district office nearest the port that the repatriates returning to the United States enter is authorized to issue special shoe stamps to such persons in an amount that will enable them to have on hand two pairs of wearable or repairable shoes of the type they need. The District Office in determining the need requirements of each person shall comply with section 1.5 of Ration Order 17.

No. 47—7

[MPR 188, Order 1326]

BELTONE HEARING AID CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1326 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of hearing aids manufactured by Beltone Hearing Aid Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and in accordance with § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) Beltone Hearing Aid Company, a copartnership, 847 West Jackson Boulevard, Chicago, Illinois, is authorized to sell and deliver the hearing aids of its manufacture at net prices no higher than those set forth below:

Model:	<i>Maximum price to dealers and distributors without promotional assistance</i>
H	\$40.00 f. o. b. factory.
HI	\$40.00 f. o. b. factory.
HS	\$42.50 f. o. b. factory.

Model:	<i>Maximum price to dealers and distributors with promotional assistance</i>
H	\$55.00 f. o. b. factory.
HI	\$55.00 f. o. b. factory.
HS	\$57.50 f. o. b. factory.

Model:	<i>Maximum prices to consumers</i>
H	\$95.00 delivered.
HI	\$95.00 delivered.
HS	\$100.00 delivered.

To the maximum prices established for sales to consumers there may be added a charge of \$10.00 for a fitted earmold including impression fee.

(b) Any person, other than the Beltone Hearing Aid Company, may sell and deliver the hearing aids manufactured by the Beltone Hearing Aid Company at

net prices no higher than those set forth below:

Model:	<i>Maximum prices to dealers</i>
H	\$55.00 f. o. b. factory.
HI	\$55.00 f. o. b. factory.
HS	\$57.50 f. o. b. factory.

Model:	<i>Maximum prices to consumers</i>
H	\$95.00 delivered.
HI	\$95.00 delivered.
HS	\$100.00 delivered.

To the maximum prices established for sales to consumers there may be added a charge of \$10.00 for a fitted earmold including impression fee.

(c) The maximum price established by this order for sales to consumers shall include a written guarantee by the manufacturer in substantially the following form:

GUARANTEE CERTIFICATE

Beltone Hearing Aid Company guarantees each of its Hearing Aids, including tubes, to be free from all defects of workmanship and materials for a period of one year from date of purchase, and agrees to make all necessary repairs and replacements with promptness and without charge to the Registered purchaser, during the guarantee period.

This guarantee shall not apply if the failure of the hearing aid is due to abuse, exposure to excessive heat, or if there shall be any attempt to repair, or to open, or to take apart the Hearing aid, excepting only the removing of cords and batteries. This guarantee shall not apply to cords and batteries.

In order to obtain repairs and replacements under the terms of this guarantee, the Purchaser shall pay the costs of shipping the Hearing Aid to and from the Beltone Hearing Aid Company at Chicago, Illinois.

Purchaser _____
Address _____
Date of purchase _____ 19____
Purchased from _____
Model No. _____

BELTONE HEARING AID COMPANY,
847 West Jackson Blvd.,
Chicago, Illinois.

(d) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser of the maximum prices and the conditions set by this Order No. 1326 for resales by the purchaser. This notice may be given in any convenient form.

(e) This Order No. 1326 may be revoked or amended by the Price Administrator any time.

(f) This Order No. 1326 shall become effective on the 7th day of March 1944.
Issued this 6th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3227; Filed, March 6, 1944; 11:55 a. m.]

Regional and District Office Orders.
[Region II Rev. Order G-15 under RMPR 122]

SOLID FUELS IN DESIGNATED AREAS IN MARYLAND

Revised Order No. G-15 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and "Virginia anthracite," and for certain sizes, quantities and types of bituminous coal and coke delivered to or at any point in State of Maryland, Coal Area 1. That area consists of Baltimore City and the following 1935 election districts in Baltimore County and Anne Arundel County, as shown on the Maryland Geological Survey Map, prepared in 1935 by the Maryland State Geologist:

In Baltimore County: 1935 Election District Nos. 1, 2, 3, 9, 12, 13, 14 and 15. In Anne Arundel County: 1935 Election District No. 5.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of coal delivered within Coal Area 1 are set forth in Schedules I and II hereafter.

(3) *To what sales this order applies.* If you are a dealer in solid fuels, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area 1 whether or not you are located in Coal Area 1.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer to pay less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure given in the applicable schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedule I.

(5) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 75¢ per ton, you shall not add more than 56¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes a specific maximum price for certain kinds, sizes and quantities of solid fuel, delivered to or at any point within Coal Area 1. Prices in the following table are credit prices—applicable to payment made after 30 days from the date of delivery—and are subject to the discounts enumerated below.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net $\frac{1}{2}$ ton	Per 100 lb. (for sales of 100 lb. or more but less than $\frac{1}{4}$ ton)
Pennsylvania anthracite:			
Broken, egg, stove, nut	\$14.25	\$7.65	.85
Pea	12.70	6.85	.75
Buckwheat	11.30	6.15	.70
Rice	10.55	5.80	.65
Barley	9.35		
Screenings	3.50		
Virginia anthracite:			
Egg, stove, nut	10.90	5.95	.65
Pea	9.25	5.15	.55
Bituminous coal, District I (low volatile):			
Run-of-mine	9.45	5.25	
Stoker pea	10.20	5.60	.60
Nut and slack	9.50	5.25	.55
Egg and lump	10.25	5.65	.60
Dealer rescreened egg	11.15	6.10	.65
District I (high volatile):			
Run-of-mine	8.80	4.90	
Districts II, III and VI (high volatile):			
Run of mine	9.00	5.00	
Stoker (special Sewall seam classification "A")	9.45	5.25	.55
Stoker (double screened) bottom size over $\frac{3}{4}$ " and nut and slack, top size over 2"	8.75	4.90	.55
Egg and lump—Sewall seam classification "A"	10.20	5.60	.60
Egg and lump—except Sewall seam classification "A"	9.25	5.15	.55
District VII (low volatile):			
Domestic run of mine	10.95	6.00	.65
Stoker and pea	10.20	5.60	.60
Stove	11.75	6.40	.65
Egg and lump	12.00	6.50	.70
District VIII (high volatile):			
Egg	9.50	5.25	.60
Briquets (anthracite)	12.30	6.65	.75

Required discounts. You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of \$1.00 per net ton and 50¢ per net $\frac{1}{2}$ ton, where payment is made within ten days after delivery. If payment is made after ten days and within thirty days from the date of delivery, you shall deduct a discount of 50¢ per net ton and 25¢ per net $\frac{1}{2}$ ton on all sizes except screenings. Nothing herein shall be construed as requiring that you sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Cents per net ton

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than $\frac{1}{2}$ ton) 75

(e) *Schedule II: "Yard sales".* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of solid fuel sold at the dealer's "yard", (1) to consumers, and (2) to other dealers for resale. Prices to consumers in table (1) are credit prices—applicable to payment made after 30 days from the date of delivery—and are subject to the discounts enumerated thereunder. Prices in table (2) are maximum prices not subject to discount.

(1) Sales at dealer's yard to consumers.

Kind and size of coal	Per net ton for sales of $\frac{1}{2}$ ton or more	Per 100 lbs. (for sales of 100 lbs. or more but less than $\frac{1}{2}$ ton)
Pennsylvania anthracite:		
Broken, egg, stove and nut	\$13.25	\$0.80
Pea	11.70	.70
Buckwheat	10.30	.65
Rice	9.55	.60
Barley	8.35	
Screenings	2.50	
Virginia anthracite:		
Egg, stove and nut	9.90	.60
Pea	8.25	.50
Bituminous coal district I (low volatile):		
Run-of-mine	8.45	
Stoker pea	9.20	.55
Nut and slack	8.50	.50
Egg and lump	9.25	.55
Dealer rescreened egg	10.15	.60
District I (high volatile):		
Run-of-mine	7.80	
Districts II, III, and VI (high volatile):		
Run-of-mine	8.00	
Stoker (special) Sewell seam, classification "A"	8.45	.50
Stoker (double screened) bottom size over $\frac{3}{4}$ " and nut and slack, top size over 2"	7.75	.50
Egg and lump—Sewell seam, classification "A"	9.20	.55
Egg and lump—except Sewell seam, classification "A"	8.25	.50
District VII (low volatile):		
Domestic run-of-mine	9.95	.60
Stoker and pea	9.20	.55
Stove	10.75	.60
Egg and lump	11.00	.65
District VIII (high volatile):		
Egg	8.50	.55
Briquets (anthracite)	11.30	.70

Required discounts. You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of \$1.00 per net ton and 50¢ per net $\frac{1}{2}$ ton, where payment is made within ten days after delivery. If payment is made after ten days and within thirty days from the date of delivery, you shall deduct a discount of 50¢ per net ton and 25¢ per net $\frac{1}{2}$ ton on all sizes except screenings. Nothing herein shall be construed as requiring that you sell on other than a cash basis.

(2) Sales at dealer's yard to other dealers for resale.

Kind and size of coal	Maximum price per net ton
Pennsylvania anthracite:	
Broken, egg, stove, nut	\$11.50
Pea	9.90
Buckwheat	7.60
Rice	6.80
Barley	5.70
Bituminous coal:	
Run-of-mine (District 1, low volatile)	6.50
Egg (District 2, high volatile)	6.45
Egg (District 3, high volatile)	6.55
Nut (District 3, high volatile)	6.45
District 7, low volatile:	
Egg	8.85
Stove	9.00
Pea	7.40
Briquets (anthracite)	8.70

(f) **Commingling.** If one size or kind of coal is sold commingled with another size or kind of coal, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or for the least expensive kind of coal so commingled, whichever is lower, whether the sale be a "delivered sale" or "yard sale", except in the following situation: Where a pur-

chaser requests that two or more sizes or kinds of fuels be commingled in one delivery, then, and in that event, if these sizes and kinds are separately weighed at the point of loading, the dealer may commingle those sizes and kinds in the truck or other vehicle, in which the delivery is made. The price for coal so commingled shall be calculated on the basis of the applicable per net ton price for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(g) **Ex Parte 148; freight rate increase.** Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) **Addition of increase in supplier's maximum prices prohibited.** You may not increase the specific maximum prices established by this order to reflect in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) **Taxes.** If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) **Adjustable pricing.** You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) **Petitions for amendment.** Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) **Right of amendment or revocation.** The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) **Applicability of other regulations.** If you are a dealer subject to this order,

you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required for all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) **Records.** If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) **Posting of maximum prices; sales slips and receipts.** (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of coal sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) **Enforcement.** (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Maryland District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(q) **Definitions and explanations.** When used in this Order No. G-15, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

FEDERAL REGISTER, Tuesday, March 7, 1944

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(5) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(8) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of Maryland, Coal Area 1, with such designation during December 1941.

(9) "Virginia anthracite" means non-bituminous coal produced in the State of Virginia.

(10) "Egg, stove, nut and pea" sizes of Virginia anthracite refer to the sizes of such coal as prepared by the producer during the period December 15-31, 1941.

(11) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(12) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(13) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(14) All designations in this order of sizes, classifications, seams, etc., applicable to bituminous coal, refer to the sizes, classifications, seams, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division

of the United States Department of Interior, as in effect midnight, August 23, 1943.

(15) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(s) *Effect of order on Order No. G-15 as originally issued and on Order No. G-23.* Order No. G-15 under Revised Maximum Price Regulation No. 122, as issued on December 4, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23, issued under that Regulation on November 24, 1943 to the extent that Order No. G-23 was applicable to Order No. G-15.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-15 shall become effective December 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-310; Filed, March 2, 1944;
4:56 p. m.]

[Region II Rev. Order G-15 Under RMPR
122, Corr.]

SOLID FUELS IN DESIGNATED AREAS IN MARYLAND

Correction to Revised Order No. G-15 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels delivered by dealers in Baltimore City and designated portions of Baltimore and Anne Arundel Counties, State of Maryland, Coal Area 1.

1. Paragraph (n) which now reads:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder * * *

shall be revised to read as follows:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuels covered by this order * * *

2. There shall be added to the definition contained in paragraph (q) (14) the following sentence:

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in State of

Maryland, Coal Area 1, during December, 1941.

This correction shall become effective as of December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-310; Filed, March 2, 1944;
4:58 p. m.]

[Region II Rev. Order G-18 Under RMPR 122]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Revised Order No. G-18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—*(1) *Dealers' maximum prices; area covered.* If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and for certain sizes, quantities and kinds of bituminous coal delivered to or at any point in the State of New York, Coal Area IV. That area consists of the following portions of Monroe County in the State of New York:

The City of Rochester.

The towns of Irondequoit, Brighton, Chili, Gates and Greece.

The following portions of the Towns of Pittsford, Perinton and Henrietta; bounded on the north by Penfield Road to and including the hamlet of Penfield; on the east by the Five-Mile Line Road, the easterly village line of the village of East Rochester, the Lincoln Marsh Road to and including the hamlet of Bushnell's Basin; on the south by Ballantyne Bridge - Pittsford - Jefferson Avenue and the South Pittsford-Victor Road, to the point where the Bridgeton-Henrietta town line runs into the Genesee River on the west.

This area shall include the abutting property on each side of all boundary highways.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of coal delivered within Coal Area IV are set forth in Schedules I and II hereafter. Schedule I relates to sales of Pennsylvania anthracite (hereinafter called simply "anthracite"). Schedule II relates to sales of bituminous coal.

(3) To what sales this order applies. If you are a dealer in solid fuels, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area IV whether or not you are located in Coal Area IV.

(b) What this order prohibits. Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) How to compute maximum prices. You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I contains a separate table of prices for "direct-delivery" sales, "yard sales" and "bagged coal" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II contains a table of prices for "direct-delivery" sales and "yard sales" of bituminous coal. You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure given in the applicable table of the applicable schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(5) If you deliver a fraction of a net ton, but not less than one-half ton, and

the applicable schedule does not provide a discount on the basis of the tonnage sold, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 75¢ per ton for cash payment, you shall deduct 56¢ for three-quarters of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-quarter ton, and the applicable schedule does not provide a service charge on the basis of the tonnage sold, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) Schedule I. Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area IV. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal".

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net $\frac{1}{2}$ ton	Per 100 lb. for sales of 100 lb. or more but less than $\frac{1}{2}$ ton
Broken, egg, stove, nut	\$14.85	\$7.75	\$0.85
Pea	12.80	6.70	.75
Buckwheat	10.25	5.45	.65
Rice	8.90	4.75	-
Barley	8.20	4.40	-
Screenings	4.10	2.05	-

Required discounts. You shall deduct from the prices set forth in Table (1) of this Schedule, on sales and deliveries of broken, egg, stove, nut and pea sizes, a discount of 75¢ per net ton and 40¢ per net $\frac{1}{2}$ ton, where payment is made within ten days after delivery. For sales of buckwheat, rice, and barley sizes, you shall deduct a discount of 25¢ per net ton where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "Wheel" (except for sales amounting to less than $\frac{1}{4}$ ton). 50 cents per net ton.
30 cents per net $\frac{1}{2}$ ton.
20 cents per net $\frac{1}{4}$ ton.

"Carrying upstairs or downstairs," for each floor above the ground floor (except for sales amounting to less than $\frac{1}{4}$ ton). The charge shall be in addition to any charge for "carry" or "wheel". 50 cents per net ton.
30 cents per net $\frac{1}{2}$ ton.
20 cents per net $\frac{1}{4}$ ton.

(2) "Yard sales".

(3) "Sales of bagged coal" (maximum prices per bag).

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Size	Per net ton, for sales of $\frac{1}{2}$ ton or more		Per 100 pounds for sales of 100 pounds or more but less than $\frac{1}{2}$ ton
	To dealers for resale	To consumers	
Broken, egg, stove, and nut	\$11.70	\$13.25	\$0.75
Pea	9.70	11.20	.65
Buck	8.00	9.10	.55
Rice	7.00	8.10	-
Barley	6.00	-	-
Screenings	2.10	-	-

Required discounts. You shall deduct from the prices set forth in Table (2) of this schedule, on sales and deliveries to dealers, on quantities of $\frac{1}{2}$ ton or more, the amount of the discounts set forth below. Those discounts are required, if payment is made by the 22d day of the month on purchases made from the 1st to the 15th day of that month, and if payment is made by the 7th day of the following month on purchases made from the 16th to the 31st day of the previous month. Nothing herein requires you to sell on other than a cash basis.

Size:	Discount (Per net ton)
Broken, egg, stove, nut	\$0.15
Pea and buckwheat	.10
Rice and barley	.05

MAXIMUM PRICES PER 50-POUND PAPER BAGS

Size	Delivered at dealers' yards	Dellivered to retail stores	Sales to ultimate consumers
Nut	\$0.47	\$0.52	\$0.57
Pea	.42	.47	.52

Size	Delivered at dealers' yards		Delivere to retail stores	Sales to ultimate consumers
	To dealers	To consumers		
Nut	\$0.16	\$0.18	\$0.18	\$0.20

(e) Schedule II. Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Coal Area IV. There is a separate table for "direct-delivery" sales and "yard sales."

(1) Sales on a "direct-delivery" basis.

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED

Kind and size of bituminous coal	ton
High volatile bituminous coal from districts Nos. 1, 2, 3 or 4:	
Lump, egg, nut, and stoker	\$7.15
Nut and slack	7.05
Slack	6.85

Sales on a "direct-delivery" basis—Con.
FOR SALES OF BITUMINOUS COAL OF THE KINDS,
SIZES AND QUANTITIES SPECIFIED—CON.

Kind and size of bituminous coal—Continued	Per net ton
Low volatile bituminous coal from district No. 1—Pennsylvania. All lump, all double screened coal with top sizes over 2" and coal customar- ily sold as run-of-mine:	
1—Coal in price classification "A".....	\$8.55
2—Coal in price classifications "B" through "E" inclusive.....	7.75

Where deliveries are requested in quantities of less than two tons, the foregoing prices, for the kinds and sizes of coal included in such deliveries, may be increased by 5¢ per net ton.

MAXIMUM AUTHORIZED SERVICE CHARGES		
Special service rendered at the request of purchasers	Cents per net ton	
"Carry" or "wheel" (except for sales amounting to less than $\frac{1}{2}$ ton).....	50	
"Carrying upstairs, for each floor above the ground floor" (except for sales amounting to less than $\frac{1}{2}$ ton). The charge shall be in addition to any charge for "carry" or "wheel".....	50	

(2) *Yard sales.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of bituminous coal sold	Sales to dealers, per net ton, for sales of $\frac{1}{2}$ ton or more	Sales to consumers, per net ton, for sales of $\frac{1}{2}$ ton or more
High volatile bituminous coal from Districts Nos. 1, 2, 3, or 4: Lump, egg, nut, or stoker.....	\$6.15	\$6.45
Nut and slack.....	6.05	6.35
Slack.....	5.85	6.15
Low volatile bituminous coal from District No. 1—Pennsylvania. All lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine:		
1—Coal in price classification "A".....	7.55	7.85
2—Coal in price classifications "B" through "E" inclusive....	6.75	7.05

(f) *Commingling.* If you sell one size or kind of coal, commingled with another size or kind of coal, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or the least expensive kind of coal so commingled, whichever is lower, whether the sale be a "direct-delivery" sale, "yard sale," or "sale of bagged coal," except in the following situation. Where a purchaser requests that two or more sizes or kinds of coal be commingled in one delivery, then, in that event, if those sizes and kinds are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes and kinds in the truck or other vehicle, or in the bags, in which the delivery is made. The price for coal so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(g) *Ex parte 148; freight rate increase.* Since the ex parte freight rate increase

has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your suppliers' maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the coal has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provisions thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of coal sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Buffalo District Office of the Office of Price Administration; or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G-18, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making

sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct-delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or other vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(5) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space, in baskets or other containers, or by wheelbarrow or barrel, from the seller's truck or other vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which coal is discharged from the seller's truck in the course of "direct delivery".

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(7) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(8) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York, Coal Area IV, with such designation during December, 1941.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to bagged coal, means sales by dealers, other than sales at the dealer's yard, whether or not delivered to the consumer's premises.

(12) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(13) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(14) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(15) All designations in this order of sizes, classifications, etc., applicable to bituminous coal, refer to the sizes, classifications, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of the Interior, as in effect midnight, August 23, 1943. Where the

minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in State of New York, Coal Area IV, during December, 1941.

(16) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(s) *Effect of order on Order No. G-18 as originally issued and on Order No. G-23.* Order No. G-18 under Revised Maximum Price Regulation No. 122, as issued on October 22, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23, issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-18.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-18 shall become effective December 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3104; Filed, March 2, 1944;
4:57 p. m.]

[Region II Rev. Order G-18 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Amendment No. 1 to Revised Order No. G-18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

(1) Paragraph (e) is amended to read as follows:

(t) *Effect of Order No. G-21; emergency sales of prepared bituminous coal to domestic consumers.* The maximum prices for sales of bituminous coal under Schedule II, paragraph (e) of this ~~Revised Order~~ shall not apply to emergency sales of "prepared bituminous coal" when sold as a substitute fuel in place

of anthracite, within the coverage of Order No. G-21 under Revised Maximum Price Regulation No. 122 as long as said Order No. G-21 shall remain in effect. During that period, such emergency sales of prepared bituminous coal shall be priced in accordance with the provisions of Order No. G-21.

This Amendment No. 1 to Revised Order No. G-18 shall become effective January 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of January 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3102; Filed, March 2, 1944;
4:56 p. m.]

[Region II Rev. Order G-18 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Amendment No. 2 to Revised Order No. G-18 under §§ 1340.260 and 1340.259 (a)

(1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

(1) Paragraph (e) is amended to read as follows:

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Coal Area IV. There is a separate table for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF BITUMINOUS COAL OF THE KINDS,
SIZES AND QUANTITIES SPECIFIED

Kind and size of bituminous coal	Per net ton
High volatile bituminous coal from District No. 2:	
Lump, egg, nut and stoker.....	\$7.30
Nut and slack.....	7.20
Slack.....	7.00
High volatile bituminous coal from Districts Nos. 1, 3 or 4:	
Lump, egg, nut and stoker.....	7.15
Nut and slack.....	7.05
Slack.....	6.85
Low volatile bituminous coal from District No. 1—Pennsylvania: All lump, all double screened coal with top sizes over 2" and coal customarily sold as Run-of-Mine :	
1—Coal in Price Classification "A".....	8.55
2—Coal in Price Classification "B" through "E" inclusive.....	7.75

Where deliveries are requested in quantities of less than two tons, the foregoing prices, for the kinds and sizes of coal included in such deliveries, may be increased by 50¢ per net ton.

FEDERAL REGISTER, Tuesday, March 7, 1944

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at request of purchasers	Cents per net ton
"Carry" or "wheel" (except for sales amounting to less than $\frac{1}{2}$ ton)-----	50
"Carrying upstairs, for each floor above the ground floor" (except for sales amounting to less than $\frac{1}{2}$ ton). The charge shall be in addition to any charge for "Carry" or "Wheel"-----	50

(2) Yard sales.

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of bituminous coal sold	Sales to dealers, (per net ton, for sales of $\frac{1}{2}$ ton or more)	Sales to consumers, (per net ton, for sales of $\frac{1}{2}$ ton or more)
High volatile bituminous coal from District No. 2:		
Lump, egg, nut and stoker.....	\$6.30	\$6.60
Nut and slack.....	6.20	6.50
Slack.....	6.00	6.30
High volatile bituminous coal from Districts Nos. 1, 3 or 4:		
Lump, egg, nut or stoker.....	6.15	6.45
Nut and slack.....	6.05	6.35
Slack.....	5.85	6.15
Low volatile bituminous coal from District No. 1—Pennsylvania:		
All lump, all double screened coal with top sizes over 2" and coal customarily sold as run-of-mine.		
1—Coal in price classification "A".....	7.55	7.85
2—Coal in price classifications "B" through "E" inclusive.....	6.75	7.05

This Amendment No. 2 to Revised Order No. G-18 shall be effective as of February 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3103; Filed, March 2, 1944;
4:56 p. m.]

[Region II Rev. Order G-18 Under RMPR
122, Corr.]

SOLID FUELS IN DESIGNATED AREAS IN NEW YORK

Correction to Revised Order No. G-18 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in the City of Rochester and designated portions of Monroe County, State of New York, Coal Area IV.

Paragraph (n) which now reads:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder * * *

shall be revised to read as follows:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuels covered by this order * * *

This correction shall become effective as of December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3106; Filed, March 2, 1944;
4:58 p. m.]

[Region II Rev. Order G-19 Under RMPR
122]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

Revised Order No. G-19 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Atlantic County, State of New Jersey, Coal Area IX.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) **What this order does—(1) Dealers' maximum prices: Area covered.** If you are a dealer in solid fuels, this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" and for certain sizes, quantities and kinds of bituminous coal and for coke delivered to or at any point in the State of New Jersey, Coal Area IX. That area comprises all of Atlantic County in the State of New Jersey.

(b) **Schedules of prices, charges and discounts.** The applicable prices and required discounts, from which you shall determine the maximum prices for designated kinds, sizes and quantities of solid fuels delivered within Coal Area IX are set forth in Schedule 1 hereafter.

(c) **To what sales this order applies.** If you are a dealer in solid fuels, you are bound by the prices and discounts, and by all other provisions of this order for all deliveries within Coal Area IX whether or not you are located in Coal Area IX.

(d) **What this order prohibits.** Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy solid fuels of the kinds, sizes and in the quantities set forth in the schedule herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of solid fuels subject to this order.

(iii) Using any tying agreement or requiring that the buyer purchase anything

in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(iv) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) **How to compute maximum prices.** You must figure your maximum price as follows:

(1) Refer to Schedule 1 which contains a separate table of prices for "direct-delivery" sales and "yard sales" of anthracite, bituminous coal, and coke. You will find Schedule 1 in paragraph (d).

(2) Take the dollars-and-cents figure given in the applicable table of the schedule, for the kind, size and quantity of solid fuel you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified therein. When a discount is required, you must state it separately on your invoice.

(4) You shall not impose any charge with respect to such sales.

(d) **Schedule 1.** Schedule 1 establishes specific maximum prices for certain kinds, sizes, and quantities of solid fuel, delivered to or at any point within Coal Area IX. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) **Sales on a "direct-delivery" basis.**

FOR SALES OF SOLID FUEL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton	Per net $\frac{1}{2}$ ton	Per net $\frac{1}{4}$ ton
Anthracite:			
Broken, egg, stove, nut.....	\$14.30	\$7.40	\$3.85
Pea.....	12.70	6.60	3.45
Buckwheat.....	10.10	5.30	2.80
Rice.....	9.25	4.90	2.60
Barley.....	8.25	4.40	2.35
Screenings.....	3.50		
Coke.....	13.00	6.75	3.50
Briquettes.....	12.05	6.30	3.25
Bituminous:			
Low volatile from District 1: Run of mine.....	9.60	5.05	2.65
High volatile from Districts 2, 3, and 7: Stoker.....	9.50	5.00	2.65

Required discounts. You shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 100 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 100 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 100 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the one hundredth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(2) "Yard sales".

FOR SALES OF SOLID FUEL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of fuel	Per net ton	Per net $\frac{1}{2}$ ton	Per net $\frac{1}{4}$ ton	Bagged coal	
				Per net 100 lbs.	Per net 50 lbs.
Anthracite:					
Broken, egg, stove, nut	\$13.30	\$6.90	\$3.60	\$0.90	\$0.47
Pea	11.70	6.10	3.20	.80	.42
Buckwheat	9.10	4.80	2.55		
Rice	8.25	4.40	2.35		
Barley	7.25	3.90	2.10		
Screenings	2.50				
Coke	12.00	6.25	3.25		
Briquettes	11.05	5.80	3.00		
Bituminous:					
Low volatile from District 1: Run of mine	8.60	4.55	2.40		
High volatile from Districts 2, 3, and 7: Stoker	8.50	4.50	2.40		

(e) *Commingling.* If you sell one size or kind of fuel, commingled with another size or kind of fuel, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes or the least expensive kind of fuel so commingled, whichever is lower, whether the sale be a "direct-delivery" sale or "yard sale," except in the following situation. Where a purchaser requests that two or more sizes or kinds of fuel be commingled in one delivery, then, in that event, if those sizes and kinds are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes and kinds in the truck or other vehicle, or in the bags, in which the delivery is made. The price of fuel so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size and kind in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size and kind in the combination.

(f) *Ex Parte 148; freight rate increase.* Since the ex parte freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December, 1941. Therefore, you may not increase any schedule price on account of freight rates.

(g) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your suppliers' maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(h) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it sep-

arately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or any amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(i) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the fuel has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(j) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(k) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provisions thereof, at any time.

(l) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(m) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(n) *Posting of maximum prices: Sales slips and receipts.* (1) If you are

a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of fuel sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if during December 1941, you customarily gave purchasers such sales slips or receipts.

(o) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Camden District Office of the Office of Price Administration, or with the price panel of the appropriate War Price and Rationing Board.

(p) *Definitions and explanations.* When used in this Order No. G-19, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling coal of the kinds and sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Direct-delivery" means delivery to the buyer's bin or storage space.

(5) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(6) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(7) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screen-

FEDERAL REGISTER, Tuesday, March 7, 1944

ings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area IX, with such designation during December, 1941.

(8) "District No." refers to the geographical coal-producing districts as defined in the Bituminous Coal Act of 1937, as amended, and as they have been modified as of midnight, August 23, 1943.

(9) "Low volatile bituminous coal" is produced in the low volatile sections of the producing districts specified herein.

(10) "High volatile bituminous coal" is produced in the high volatile sections of the producing districts specified herein.

(11) All designations in this order of sizes, etc., applicable to bituminous coal, refer to the sizes, etc., as set forth in the minimum price schedules for the various producing districts issued by the Bituminous Coal Division of the United States Department of the Interior, as in effect midnight, August 23, 1943. Where the minimum price schedules do not make specific mention of any size designated in this order, such size designation shall refer to the sizes of bituminous coal sold as such in State of New Jersey, Coal Area IX, during December, 1941.

(12) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(q) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(r) *Effect of order on Order No. G-19 as originally issued and on Order No. G-23.* Order No. G-19 under Revised Maximum Price Regulation No. 122, as issued on October 29, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23, issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-19.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-19 shall become effective December 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3109; Filed, March 2, 1944;
4:57 p. m.]

[Region II Rev. Order G-19 Under RMPR
122, Amdt. 1]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

Amendment No. 1 to Revised Order No. G-19 under § 1340.260 of Revised Maxi-

mum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Atlantic County, State of New Jersey, Coal Area IX.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, Revised Order No. G-19 is amended in the following respects:

1. The "direct-delivery" prices for coke in Schedule I, paragraph (d) (1), are revised to read as follows:

Kind and size of fuel	Per net ton	Per net $\frac{1}{2}$ ton	Per net $\frac{1}{4}$ ton
Byproduct coke.....	\$13.50	\$7.00	\$3.65

2. The "yard-sales" prices for coke in Schedule I, paragraph (d) (2), are revised to read as follows:

Kind and size of fuel	Per net ton	Per net $\frac{1}{2}$ ton	Per net $\frac{1}{4}$ ton
Byproduct coke.....	\$12.50	\$6.50	\$3.40

This Amendment No. 1 to Revised Order No. G-19 shall become effective February 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3108; Filed, March 2, 1944;
4:55 p. m.]

[Region II Rev. Order G-19 Under RMPR
122, Corr.]

SOLID FUELS IN ATLANTIC COUNTY, N. J.

Correction to Revised Order No. G-19 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Solid fuels delivered by dealers in Atlantic County, State of New Jersey, Coal Area IX.

Paragraph (m) which now reads:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder * * *

shall be revised to read as follows:

Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuels covered by this order * * *

This correction shall become effective as of December 6, 1943.

Issued this 20th day of December, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3107; Filed, March 2, 1944;
4:58 p. m.]

[Region II Order G-1 Under RMPR 269]

Poultry except ducks in New York Region

Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269. Maximum base prices of poultry except ducks in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269 and, insofar as required, with the written approval of the War Food Administrator, this order is hereby issued.

SECTION 1. What this order does. Revised maximum Price Regulation No. 269 requires the determination of maximum selling prices of poultry items by reference to maximum base prices. This order divides Region 2 into four zones, and in each zone one specific dollar and cent maximum base price is established for each poultry item covered by Revised Maximum Price Regulation No. 269, except duck items, and except kosher-killed poultry items in the New York City metropolitan area. (Maximum base prices for kosher-killed poultry items in New York City metropolitan area, are established by Order No. G-2 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued simultaneously herewith.) This order supersedes that regulation insofar as it establishes such maximum base prices in Region 2. The base prices established by this order are to be used in determining maximum selling prices instead of the base prices established by Revised Maximum Price Regulation No. 269. All other provisions of that regulation continue in effect.

Sec. 2. Where this order applies. This order applies to the entire states of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia, except that it does not apply to sales of kosher-killed poultry delivered to the purchaser's customary receiving point in the City of New York and the Counties of Nassau, Suffolk and Westchester in the State of New York, and the Counties of Essex, Hudson and Union in the State of New Jersey.

Sec. 3. Maximum base prices for poultry items in region 2—(a) Base prices for Grade "A" poultry items in Zone 1—(1) Description of Zone 1. Zone 1 shall include:

- a. The entire state of Delaware.
- b. The following counties of Maryland: Caroline, Cecil, Dorchester, Hartford, Kent, Queen Anne's, St. Marys, Somerset, Wicomico, Worcester, and Talbot.

FEDERAL REGISTER, Tuesday, March 7, 1944

(d) *Base prices for Grade "A" poultry items in Zone 4—(1) Description of Zone 4.* Zone 4 shall include:

- a. The following counties of New York: Cattaraugus, Chautauqua, Erie, and Niagara.
- b. The following counties of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Clarion,

Crawford, Erie, Fayette, Forest, Greene, Lawrence, Mercer, Venango, Warren, Washington, and Westmoreland.

(2) *Maximum base prices for Grade "A" poultry items, except ducks, in Zone 4.*

Type	Food products			Maximum base prices					
	Weight			Zone 3					
	Live weight	Kosher-killed, kosher-dressed, and dressed weight	Frozen, eviscerated, and drawn weight	Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen, eviscerated
Broilers and fryers	Under 4	Under 3½	Under 2½	28.2	35.7	34.7	36.2	46.2	53.2
Roasters	4 and over	3½ and over	2½ and over	28.2	35.7	34.7	36.2	44.2	50.2
Capons, light	Under 6	Under 5½	Under 4½	28.2	35.7	34.7	36.2	44.2	50.2
Capons, heavy	6 and over	5½ and over	4½ and over	31.7	38.7	37.7	39.2	46.7	51.7
Fowl	All	All	All	24.7	31.7	30.7	32.2	39.7	44.7
Stags and old roosters	All	All	All	20.7	27.2	26.2	27.7	33.7	38.7
Geese	All	All	All	25.7	29.7	29.7	31.2	43.2	46.2
Young turkeys:									
Light	Under 18	Under 16	Under 13	35.7	43.7	42.7	44.2	52.2	55.2
Medium	18 to 22	16 to 20	13 to 16½	34.2	41.7	40.7	42.2	48.7	51.7
Heavy	22 and over	20 and over	16½ and over	33.2	40.2	39.2	40.7	46.7	49.7
Old turkeys:									
Light	Under 18	Under 16	Under 13	33.7	41.7	40.7	42.2	49.7	52.7
Medium	18 to 22	16 to 20	13 to 16½	32.2	39.7	38.7	40.2	46.7	49.7
Heavy	22 and over	20 and over	16½ and over	31.2	38.2	37.2	38.7	44.2	47.2

(e) *Base prices of grades other than Grade A.* The maximum base prices established by this section are for Grade "A" poultry items. The maximum base prices for lower grades, and for poultry items which would otherwise be eligible for Grade "A" base prices except for the provisions of Revised Maximum Price Regulation No. 269, shall be determined by deductions from the base prices established by this order as required in § 1429.19 of Revised Maximum Price Regulation No. 269.

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on February 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 F.R. 6736, 9299, 10940)

Issued this 7th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3142; Filed, March 3, 1944;
4:42 p. m.]

[Region II Order G-30 Under RMPR 122,
Amdt. 2]

PENNSYLVANIA ANTHRACITE IN NEW YORK
REGION

Amendment No. 2 to Order No. G-30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in West Liberty, Iowa.

Price Regulation No. 122, Order No. G-30 is amended in the following respect:

(1) Paragraph (c) is amended to read as follows:

(c) This order which may be revoked, amended, or corrected at any time, shall, unless earlier revoked or replaced, expire at midnight March 4, 1944.

This Amendment No. 2 to Order No. G-30 shall become effective February 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 29th day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-3157; Filed, March 4, 1944;
4:43 p. m.]

[Region VI Order G-27 under SR 15]

FLUID MILK IN WEST LIBERTY, IOWA

Order No. G-27 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. Adjustment of fluid milk prices in West Liberty, Iowa.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices.* The maximum prices for the sale and delivery of fluid milk at wholesale and retail in West Liberty, Iowa, shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be higher:

	Wholesale	Retail
Standard butterfat content		
fluid milk:		
Gallon	\$0.37	\$0.45
Half gallon	.19	.23
Quart	.10	.12
Pint	.05½	.07
Half pint	.03	.05

Where the maximum price set forth is expressed in terms of ½¢, opportunity must be given to the buyer to purchase multiple units for which the maximum price will be the single unit price times the number of units purchased.

(b) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the West Liberty, Iowa, area shall mean:

1. All sales made within the city limits of West Liberty, Iowa, and all sales at or from an establishment located in West Liberty, Iowa;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within West Liberty, Iowa.

(c) *Definitions.* 1. Standard butterfat content milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(d) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base period established by that regulation.

(e) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of February 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-3138; Filed, March 3, 1944;
3:35 p. m.]

[Evansville Temporary Order G-1 Under
MPR 154]

ICE IN EVANSVILLE, IND.

Order extending the expiration date of Temporary Order No. G-1 under § 1393.8 (e) of Maximum Price Regulation No. 154, adjusting maximum prices for ice sold at retail at Evansville, Indiana.

SECTION 1. The above temporary order was issued on May 29, 1943, pursuant to authority vested in the Office of Price

Administration of Indianapolis District Office under § 1393.8 (e) of Maximum Price Regulation 154 and by Delegation Order dated April 6, 1943 issued by the Regional Administrator of Region III. The order was duly made and entered in the above matter, making adjustments authorizing certain increases in the maximum price of ice sold at retail in Evansville, Indiana. By express terms of said order, it terminates on February 7, 1944, unless revoked or modified by an order of the Price Administrator.

SEC. 2. Said temporary order was made after an exhaustive study, research, and analysis of the conditions existing in Evansville at that time with respect to the economic situation and the manufacture, production, and storage of ice in that locality as well as requirements for domestic and commercial use at that time, and for the immediate future, a study and survey was also made as to whether the shortage then existing and anticipated could be relieved without injuriously affecting other areas from which an adequate ice supply could be obtained.

SEC. 3. Such investigation disclosed:

(a) That an acute shortage of ice did exist in the Evansville area and probably will continue to exist throughout the year.

(b) That such local shortage would be substantially reduced or eliminated by the granting of a price adjustment which would enable distributors to bring in ice from other areas.

(c) That the granting of a price adjustment in the locality in question would not tend to create or bring about a shortage or a need for an increase in prices in any other locality and would effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and that granting such price increase would not violate the spirit of the "hold the line" order issued by the President (Executive Order 9328). The temporary order was accordingly issued. The emergency then existing and the method of relief granted clearly appear in detail in the order and in the opinion accompanying it.

SEC. 4. The order requiring the filing of certain interim reports by the dealers showing quantities of ice purchased, firm from which it was purchased, and the net cost of the purchased ice. It required the filing of additional reports showing the earnings of the dealers during the year of 1943. The larger companies have furnished such report. The smaller ones have not.

It is now claimed that the order should be continued in force for the present year because of a continued threatened ice shortage, but due to the death of the public accountant who audited the books of the larger companies, they are unable, at this time, to furnish definite material upon which their request will be based. They have requested an extension of the present order for a 60-day period so that they may have time to have their ac-

counts audited by other accountants and the necessary information secured upon which to base their requests for a continuation of the order for the summer season.

SEC. 5. The staff of the Indianapolis Office of Price Administration have made a study of the summary reports furnished by the applicants and have recommended that there is probably merit in the request for such continuation. It also appears that this is the slack season of the year in the ice business and that ice will not be sold in quantities until after April 1, 1944. So it is highly important to have definite and reliable data in determining whether such request should be granted.

We hold it is advisable to grant an extension of such order until April 1, 1944.

SEC. 6. *It is, therefore, ordered,* That Order G-1 under § 1393.8 (e) Maximum Price Regulation No. 154, issued by the Office of Price Administration, Indianapolis District, Region III, bearing date of May 29, 1943, making adjustments of maximum prices of ice in the Evansville area, and by its terms expiring February 7, 1944, be and the same is hereby extended and continued in force until April 1, 1944. The retail prices of ice fixed in said order shall not be applicable after said date, unless prior to that time it is extended and continued in force by order of the Office of Price Administration.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued and effective this 5th day of February 1944.

JAMES D. STRICKLAND,
District Director.

[F. R. Doc. 44-3157; Filed, March 4, 1944;
11:32 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 3, 1944.

REGION II

Camden Order No. 12, filed 10:38 a. m.
Harrisburg Order No. 14, filed 10:34 a. m.
Harrisburg Order No. 15, filed 10:32 a. m.
Harrisburg Order No. 16, filed 10:31 a. m.
Philadelphia Order No. 10, filed 10:35 a. m.
Scranton Order No. 10, filed 10:37 a. m.

REGION III

Indianapolis Order No. 4-F, Amendment No. 4, filed 10:40 a. m.
Indianapolis Order No. 5-F, Amendment No. 4, filed 10:40 a. m.
Indianapolis Order No. 6-F, Amendment No. 4, filed 10:40 a. m.
Indianapolis Order No. 8-F, Amendment No. 4, filed 10:41 a. m.
Indianapolis Order No. 9-F, Amendment No. 4, filed 10:41 a. m.
Indianapolis Order No. 10-F, Amendment No. 4, filed 10:41 a. m.
Indianapolis Order No. 11-F, Amendment No. 4, filed 10:41 a. m.

REGION IV

Jacksonville Order No. 1-W, filed 10:34 a. m.
Jacksonville Order No. 1-F, Amendment No. 13, filed 10:31 a. m.
Roanoke, Order No. 1-F, Amendment No. 6, filed 10:25 a. m.
South Carolina Order No. 1-F, Amendment No. 13, filed 10:29 a. m.
South Carolina Order No. 1-F, Amendment No. 15, filed 10:29 a. m.
South Carolina Order No. 2-F, Amendment No. 4, filed 10:29 a. m.

REGION V

Fort Worth Order No. 1-F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 2-F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 3-F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 4-F, Amendment No. 6, filed 10:27 a. m.
Fort Worth Order No. 5-F, Amendment No. 6, filed 10:26 a. m.
Kansas City Order No. 2-F, Amendment No. 2, filed 10:25 a. m.

REGION VI

Chicago Order No. 2-F, Amendment No. 3, filed 10:28 a. m.
La Crosse Order No. 1-F, Amendment No. 1, filed 10:11 a. m.
La Crosse Order No. 1-F, filed 10:11 a. m.
La Crosse Order No. 1-F, Amendment No. 2, filed 10:12 a. m.
La Crosse Order No. 1-F, Amendment No. 3, filed 10:12 a. m.
La Crosse Order No. 1-F, Amendment No. 4, filed 10:13 a. m.
La Crosse Order No. 1-F, Amendment No. 5, filed 10:13 a. m.
La Crosse Order No. 3-F, Amendment No. 1, filed 10:17 a. m.
La Crosse Order No. 4-F, Amendment No. 1, filed 10:24 a. m.
La Crosse Order No. 5-F, Amendment No. 1, filed 10:24 a. m.
Moline Order No. 2-F, Amendment No. 3, filed 10:28 a. m.
North Platte Order No. 11, filed 10:14 a. m.
Sioux Falls Order No. 14, filed 10:15 a. m.
Twin Cities Order No. 1-F, Amendment No. 4, filed 10:17 a. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 6, filed 10:11 a. m.
Nevada Order No. 1-W, filed 10:38 a. m.
Nevada Order No. 8, filed 10:39 a. m.
Nevada Order No. 9, filed 10:42 a. m.
Nevada Order No. 12, filed 10:42 a. m.
Phoenix Order No. 3-F, Amendment No. 8, filed 10:39 a. m.
Los Angeles Order No. 1-F, Amendment No. 1, filed 10:30 a. m.
San Diego Order No. 1-P, filed 10:14 a. m.
San Diego Order No. 1-F, Amendment No. 23, filed 10:30 a. m.
Seattle Order No. 1-F, Amendment No. 5, filed 10:17 a. m.
Seattle Order No. 2-F, Amendment No. 4, filed 10:31 a. m.
Seattle Order No. 3-F, Amendment No. 5, filed 10:16 a. m.
Seattle Order No. 4-F, Amendment No. 5, filed 10:15 a. m.
Seattle Order No. 5-F, Amendment No. 4, filed 10:30 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-3158; Filed, March 4, 1944;
11:32 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-866, 70-865]

INLAND POWER & LIGHT CO. AND WESTERN LIGHT & TELEPHONE CO.

NOTICE OF FILING AND ORDER FOR CONSOLIDATION AND HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of March, A. D. 1944.

In the matter of Inland Power & Light Corporation, File No. 70-866; Western Light & Telephone Company, File No. 70-865.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (act) by John E. Dwyer, Trustee of Inland Power & Light Corporation (Inland), a registered holding company, and Western Light & Telephone Company (Western). All interested persons are referred to said documents which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Inland proposes to sell and Western proposes to purchase all of the outstanding 160,000 shares of common stock of The Kansas Power Company (Kansas), an electric utility subsidiary of Inland for \$1,360,000 in cash. It is further proposed that (a) Inland is to receive all net earnings applicable to said shares of common stock from November 30, 1943, to the date of closing said sale, less \$20,000, and (b) Inland is to receive any balance remaining in a fund presently being accrued (\$278,000 at November 30, 1943) after satisfaction out of said fund of any outstanding Federal Income Tax liability of Kansas and (c) Western is to pay any excess of Federal Income Tax liability of Kansas if such liability is determined to be greater than the amount accrued in such fund and (d) Western is to pay any interest which may be payable upon any of such income tax liability.

Western proposes, in connection with such purchase, to issue serial notes in the aggregate amount of \$500,000, all of said notes to mature within 24 months from the date of issue.

The applications and declarations further recite that Western proposes to register as a holding company under the act if the transactions are consummated and that sections 10, 11 (e) and 12 (d) of the act and Rule U-44 thereunder are applicable to the proposed transactions.

Inland requests that this Commission approve such proposed sale as a step

which is necessary or appropriate to effectuate the provisions of section 11 (b) of the act in conformity with the provisions of sections 371 and 1808, as amended, of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission; and

It appearing to the Commission that the matters are related and involve common questions of law and fact; that evidence offered in respect to each of said matters may have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that evidence adduced in each matter may stand as evidence in the other for all purposes:

It is ordered. That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on March 17, 1944, at 10:00 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations shall become effective and why such applications shall be granted. Notice is hereby given of said hearing to the above-named declarants and applicants and to all interested persons, said notice to be given to said declarants and applicants by registered mail and to all other persons by publication in the **FEDERAL REGISTER**. Any persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before March 14, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered. That the hearings on said matters be, and they hereby are, consolidated. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any proceeding or proceedings herein, to order a separate hearing concerning such proceeding or proceedings, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record in the other matters; and

It is further ordered. That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in

such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

It is further ordered. That without limiting the scope of issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisition by Western will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system.

2. Whether the proposed acquisition by Western is detrimental to the carrying out of the provisions of the section 11 of said act.

3. Whether the proposed acquisition by Western will unduly complicate its capital structure or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding company system.

4. Whether the proposed accounting entries on the books of Western and Kansas conform to the requirements of said act.

5. Whether the consideration to be paid by Western and to be received by Inland is reasonable and bears a fair relationship to the sums invested and to the earning capacity of the utility assets underlying the securities which are the subject matter of the proposed transactions.

6. Whether competitive conditions have been maintained in the negotiations of the proposed transactions.

7. Whether such sale is a necessary step to effectuate the provisions of section 11 (b).

8. Whether and to what extent it is necessary or appropriate in the public interest to impose terms or conditions in regard to the proposed transactions, especially with respect to any required disposition by Western of utility or non-utility properties which are found to be not retainable under the provisions of said act.

9. Whether the proposed transactions are in the public interest or in the interest of investors and consumers and whether in all respects the proposed transactions comply with all the applicable provisions and requirements of said act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

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10:23 a. m.]